

Arkansas Higher Education Coordinating Board Policies



2015

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SECTION 1

AGENCY BOARD AND ADMINISTRATION

**Amendment of Arkansas Higher Education
Coordinating Board By-Laws**

The Arkansas Higher Education Coordinating Board (“Coordinating Board”) is charged by state law to coordinate higher education in Arkansas and to assure an orderly and effective development of each of the publicly supported institutions of higher education.

The following amendment is recommended to the by-laws in this agenda item for adoption to allow the Coordinating Board Chair to count in the quorum and voting. This will allow the Board to discharge its responsibilities in a more effective manner. The revision recommended is highlighted on Page 22-5.

The following resolution is presented for Board consideration:

RESOLVED, That the Arkansas Higher Education Coordinating Board adopts the by-law amendment presented in this agenda item for the operation of the Coordinating Board.

Citation: [6-61-202-205](#)

ARKANSAS HIGHER EDUCATION COORDINATING BOARD

BY-LAWS

Statement of Mission and Values

1. As members of the Arkansas Higher Education Coordinating Board, we understand that acceptance of appointment to this Board is an acknowledgment of our responsibility to serve the citizens of Arkansas in the arena of higher education, and not simply the receipt of an honor or recognition.
2. We shall prepare for meetings by studying and understanding relevant materials supplied by staff.
3. We shall constantly improve our effectiveness as board members by reading widely in general and specialized publications in the subjects of educational matters and in state and local news.
4. We shall consider issues from the viewpoint of the needs and best interests of the people of Arkansas as a whole, and without partiality for or against any particular institution or type of institution.
5. We shall base our decisions on valid and appropriate data, information, and professional advise and counsel.
6. We shall bring to and expose to Board deliberations all concerns we have; we debate openly, vigorously, candidly, and politely; and we support decisions of the Board once made.
7. We consider attendance at regular and special Board meetings a priority because of our responsibility to bring our individual questions and counsel to Board deliberations.
8. We understand and support the public's right to observe and be informed about the work of the Board as a public body tending to the public's business.
9. We understand the distinction between our duty to set policy and establish appropriate monitoring or reporting to ensure compliance with policy, and our duty to refrain from interfering in the administration and management of the department's responsibilities. We should, however, communicate freely with the Director and appropriate staff regarding information relevant to the respective responsibilities of the Board and the department.
10. We are dedicated to establishing policy and discharging our responsibilities without discrimination on the basis of race, gender, color, creed, religion, age, or other inappropriate characteristics or criteria.

11. We serve as a bridge between institutions of higher education and the department staff on the one hand, and the Governor, General Assembly, and public on the other.
12. We serve as a buffer that shields the institutions and the department staff from inappropriate criticism and political pressure.
13. As individual board members we acknowledge that we should neither act nor speak on behalf of the Board with respect to matters under the jurisdiction of the Board. On these matters the Board should act collectively and the chair should be deemed the spokesperson for the Board.
14. We encourage and demand, within the bounds of the Board's legal authority and responsibility, integrity and accuracy of data and information supplied by institutions and relied upon by the staff and Board in the discharge of its responsibilities.

BY-LAWS

Article I

The Board

Section 1. Statute. The Arkansas Higher Education Coordinating Board (“Coordinating Board”) was created by Acts of 1997, No. 1114, which abolished the State Board of Higher Education and transferred its powers, duties, and functions, records, personnel, property, unexpended balances of appropriations, allocations, or other funds to the Arkansas Higher Education Coordinating Board. The Coordinating Board is empowered with those duties and responsibilities specified or implied in Acts of 1997, No. 1114; Acts of 1977, No. 560, as amended by Acts of 1991, No. 1244; those duties and responsibilities specified or implied in Acts of 1991, No. 773 and No. 1244; and as otherwise specified by state and federal law.

Section 2. Board Composition. The Coordinating Board consists of twelve (12) members appointed by the Governor as provided in Acts of 1997, No. 1114. No more than four (4) members shall be appointed from any one (1) congressional district, as the districts exist at the time of the appointment. No more than two (2) members at any one time shall be graduates of an undergraduate program of any one (1) state university or college. The members of the Board shall serve staggered terms of six (6) years. The terms of the members of the initial board shall be determined by lot so that the terms of two (2) members shall expire each year. No member may serve more than two (2) terms.

Article II

Officers of the Board and Their Duties

Section 1. Officers. The officers of the Coordinating Board are the Chair, the Vice Chair, the Secretary, and any other officers deemed necessary to fulfill their responsibilities.

Section 2. Election. The officers of the Coordinating Board are elected annually by the affirmative vote of the majority of the entire Board at its first quarterly meeting. Officers shall serve until the first quarterly meeting one year following their election or until their successors are elected and qualified. A member shall not be eligible to serve for more than two (2), one (1) year terms as chair of the Board.

Section 3. Chair. The Chair shall be a member of the Coordinating Board and (1) shall preside at the meetings of the Board, (2) shall call special meetings as required, (3) shall appoint the chair of and appoint or provide for the election of all committees, and (4) shall perform such other duties as may be prescribed by law or by action of the Board. The Chair shall be an ex officio member of all committees.

Section 4. Vice Chair. The Vice Chair shall be a member of the Coordinating Board and shall perform the duties and have the powers of the Chair during the absence or disability of the Chair.

Section 5. Secretary. The Secretary shall be a member of the Coordinating Board and shall attest to the official actions of the State Board.

Article III

Executive Staff

Section I. Director. The executive head of the Department of Higher Education (“Department”) shall be the Director of the Department. The Director shall be appointed by the Coordinating Board, as required by law, subject to confirmation by the Governor and shall serve at the pleasure of the Governor. The Board shall evaluate the Director annually. The Presidents Council shall provide an evaluation report of the Department and the Director to the Board at least annually.

Section 2. Authority of Director. The Director of the Department, with the advice and consent of the Governor, shall appoint the heads of the respective divisions within the Department. All of the personnel of the Department shall be employed by and serve at the pleasure of the Director of the Department. Each division of the Department shall be under the direction, control, and supervision of the Director. The Director may delegate his/her functions, powers, and duties to various divisions of the Department as deemed desirable or necessary for the effective and efficient operation of the Department.

Article IV

Committee Structure

Section 1. Committees. The Coordinating Board may establish as permanent committees an Executive Committee, a Finance Committee, and an Academic Committee. Special committees may be appointed from time to time as the Board may deem desirable.

Section 2. Authority of Committees. All committees of the Coordinating Board, both standing and special, have advisory status to the Board. These committees are not empowered to speak for the Board unless specifically granted such authorization by a majority of the Board or such authority is specified in the By-Laws of the Board.

Section 3. Executive Committee. The Executive Committee shall be composed of the officers of the Coordinating Board and one member-at-large appointed by the Chair. The Chair of the Board shall serve as committee chair. The Executive Committee shall be empowered to act on behalf of the Board, subject to ratification of the full Board at the next regularly scheduled meeting.

Section 4. Finance Committee. Members of the Finance Committee shall be appointed by the Chair at the first quarterly meeting of each year with vacancies to be filled by appointment by the Chair as they occur. The terms of committee members shall be one year. The Chair shall

designate one member to serve as committee chair. The Finance Committee shall consider and make recommendations to the Coordinating Board on all matters relating to fiscal affairs of the institutions within the jurisdiction of the Board.

Section 5. Academic Committee. Members of the Academic Committee shall be appointed by the Chair at the first quarterly meeting of each year with vacancies to be filled by appointment by the Chair as they occur. The terms of the committee members shall be one year. The Chair shall designate one member to serve as committee chair. The Academic Committee shall consider and make recommendations to the Coordinating Board on all matters pertaining to instructional programs of the institutions, including academic policies, program review and approval, and master planning.

Section 6. Committee Chair. A committee chair shall be entitled to vote only in the event of a tie.

Article V

Meetings and Procedures

Section 1. Meetings. The Coordinating Board shall meet at least once during each calendar quarter and at such other times upon call of the Chair or any other four (4) members. The Board shall not meet in any facility owned or operated by any organization which practices or condones discrimination. The Board may, at such times as it desires, meet on the campuses of the respective institutions of higher education in the state.

Section 2. Notice. Notice concerning the time and place of each regular meeting of the Coordinating Board shall be sent to each member of the Board by the Director of the Department at least ten (10) days in advance of the meeting date. Public notice as required by the Arkansas Freedom of Information Act shall be given of all meetings.

Section 3. Quorum. At all meetings of the Coordinating Board, seven members shall constitute a quorum for the transaction of business.

Section 4. Agenda. An agenda for each regular meeting of the Coordinating Board will be prepared by the Director of the Department in consultation with the Chair of the Board setting forth each matter of business to be conducted at the meeting. Such agenda shall be sent to the members at least ten days before each meeting. Pursuant to Acts of 1997, No. 1114, all items to be considered as a Board agenda item must be reviewed by the Executive Council and the Presidents Council prior to being placed on the Board agenda. In the event that the Director and staff shall not be in agreement with the Executive Council on a matter to be considered by the Board, the Executive Council recommendation will be placed on the Board agenda automatically for a presentation and explanation of the Executive Council's position. The Board will then make a decision based on both positions. Matters not on the agenda can be considered at the meeting only by vote of a majority of the members present and voting following appropriate review by the Executive Council and the Presidents Council

Section 5. Rules of Order. Except as modified by these By-Laws, Roberts Rules of Order (latest edition) shall constitute the rules of parliamentary procedure applicable to all meetings of the Coordinating Board and its committees.

Section 6. Minutes. The Director of the Department, or his/her designee, shall be responsible for keeping minutes of all meetings and shall file, index and preserve all minutes, papers and documents pertaining to the business and proceedings of the Coordinating Board. The minutes of each meeting of the Board shall be reported in the agenda book of the next quarterly meeting of the Board.

Section 7. Open Meetings. All meetings of the Coordinating Board shall be open to the public unless, consistent with the requirements of the Arkansas Freedom of Information Act, a meeting is closed to the public for the consideration of personnel matters. Should any decision be made during an executive session, the Board must reconvene in public session for official action.

Article VI

Amendment of By-Laws

Section 1. Amendment. These By-Laws may be amended upon 30 days prior written notice at the next regularly scheduled meeting of the Coordinating Board by a majority vote of the Board.

Approved: Agenda Item No. 6
July 24, 1997

**REVISION OF THE
ALTERNATE RETIREMENT PLAN POLICY
FOR DEPARTMENT EMPLOYEES**

On July 14, 1967, the State Board of Higher Education, now the Arkansas Department of Higher Education Coordinating Board (AHECB), approved the Arkansas Department of Higher Education (ADHE) employee participation in the Alternate Retirement Plan through the Teachers Insurance and Annuity Association (TIAA) and the College Retirement Equities Fund (CREF) [A.C.A. Title 24, Chapter 7, Subchapter 8].

The Coordinating Board approved, in the resolution below, a revision in the Alternate Retirement Plan Policy for ADHE employees in the “Cashability” provision of the TIAA/CREF retirement policy that will allow employees upon termination to take a lump sum cash withdrawal of all accumulations, both agency and participant.

The following resolution was approved by the Coordinating Board on February 2, 2001 (Agenda Item No. 27):

RESOLVED, That upon termination of employment, lump sum cash withdrawals of all accumulations attributable to both agency and participant plan contributions are available to participants subject to the rules of the funding vehicles and Internal Revenue Service withdrawal provisions;

FURTHER RESOLVED, That the Director of the Arkansas Department of Higher Education or his/her designee may adopt rules and regulations for interpreting this Retirement Plan and for administering its provisions in a manner consistent with this Board Policy.

ALTERNATE RETIREMENT PLAN FOR ADHE EMPLOYEES

I. Participation

An Alternate Retirement Plan as provided for in A.C.A. Title 24, Subchapter 8, is hereby established for all employees of the Arkansas Department of Higher Education who may elect to participate, of their own choosing, effective July 1, 1993, regardless of the grade and salary level authorized for their position classification and so long as participation is in accordance with existing policy guidelines governing their participation which have been issued by the Department, the Alternate Retirement Plan carrier, state government, and/or federal government. No form of retroactivity will be applied for employees who were determined ineligible to participate in the Alternate Retirement Plan prior to the effective date of enactment of July 1, 1993.

II. Retirement Age

A participating employee's normal retirement age is defined herein as the end of the fiscal year during which that employee reaches the age of 65. The federal Age Discrimination in Employment Act, as amended, and the Arkansas Public Employer Age Discrimination Law, A.C.A. 21-3-201 et seq., provide, except for those employees serving in certain policy-making positions, e.g., unclassified employees in the state system, that no employee may be compelled to retire strictly on the basis of age. The Department will make contributions for agency employees irrespective of age.

III. Contributions

Each participant in this retirement plan shall contribute 6% of his/her total compensation for each pay period; the Department shall add a sum equal to 10% of each participant's total compensation for each pay period as its contribution.

The Department will forward the combined sum each pay period to the Teachers Insurance and Annuity Association (TIAA) and the College Retirement Equities Fund (CREF) to be allocated to the relevant funding vehicles in accordance with the participant's instructions.

The percentage distribution of contributions among the fund options provided by TIAA/CREF shall be determined by the participant. The Department's current selection of fund sponsors and funding vehicles is not intended to limit future additions of funding vehicles. The following investment options are available under the plan:

A. Teachers Insurance and Annuity Association (TIAA) TIAA Retirement Annuity

(1) Long-Term Debt Instruments

B. College Retirement Equities Fund (CREF)
CREF Retirement Unit-Annuity

- (1) Stock
- (2) Money Market
- (3) Bond Market
- (4) Social Choice Account
- (5) Global Equities Fund

IV. Vestment

Employees of the Department who elect to participate in the Alternate Retirement Plan will be automatically vested upon the date of enrollment.

V. Supplemental Retirement Account Plan

Eligibility. All categories of employees are eligible to participate in the TIAA-CREF Supplemental Retirement Account (SRA) Plan in accordance with Sections 403(b) of the Internal Revenue Code.

Participation and Contributions. A participant in the SRA tax-deferred plan agrees to a percentage reduction in current salary, and the Department forwards the tax-deferred amount to TIAA-CREF to be allocated to relevant funding vehicles in accordance with the participant's instructions. Participants may contribute any amount, subject to limitations imposed by the federal internal revenue code. Any such contributions shall be made in addition to contributions made under the Department's regular retirement plan.

VI. Contracts

TIAA retirement annuity contracts and CREF certificates issued in accordance with the Regular Retirement Contributions and Supplemental Retirement Account Plan sections of this plan exist for the purpose of providing a retirement or death benefit and are the property of the individual participants for whom they are established.

VII. Cashability

A participant who has terminated employment from the Department may receive benefits under this plan as follows:

Upon termination of employment, lump sum cash withdrawals of all accumulations attributable to both agency and participant plan contributions are available to participants subject to the rules of the funding vehicle and Internal Revenue Service withdrawal provisions.

VIII. Amendment

While the provisions of this plan may continue in force indefinitely, the Department reserves the right to modify the language of the document or discontinue participation at any time subject to approval by the State Board of Higher Education.

IX. Administration

The Director of the Arkansas Department of Higher Education or his/her designee may adopt rules and regulations for interpreting this Retirement Plan and for administering its provisions in a manner consistent with this Board policy.

Approved: Agenda Item No. 15
July 23, 1993

Amended: Agenda Item No. 27
February 2, 2001

SECTION 2:

INSTITUTIONAL FINANCE

AHECB TUITION POLICY

While local boards have the authority to establish tuition and fee rates on their campuses, [A.C.A. §6-61-215](#) requires the Coordinating Board to establish student fees for funding purposes only for all public institutions of higher education. Therefore, the tuition and fee rates established by the Coordinating Board are offered for calculation of funding recommendations and do not alter the authority of local boards to establish their respective institutions' actual tuition and mandatory fee rates.

Policies

In October 1981, the State Board determined that tuition and fee adjustments should be based on established goals for the state's share and the students' share of the cost of education. The share of the costs born by the students was amended on April 30, 2010. The following policies are in keeping with those goals:

- Undergraduate tuition and fees at four-year institutions should be approximately 40 to 45 percent of the average cost of education.
- In district rates at two-year institutions with local tax support should be approximately 30 to 35 percent of the cost of education.
- Tuition rates at two-year institutions without a local tax should be higher than those for institutions with a local tax. The higher rate should incorporate the additional revenue per FTE that is generated from institutions with a local tax.
- Tuition and fee levels at two-year institutions should be lower than at four-year institutions to make these programs available to as many people as possible.
- Graduate tuition and fees should be at a higher rate than undergraduate tuition and fees in recognition of the higher cost of graduate education.

2013-14 Tuition and Mandatory Fee Recommendations

Four-Year Institutions

The needs-based funding formula for the four-year institutions requires the same tuition and fee amount by level (undergraduate, graduate, and doctoral) be used by each of the institutions regardless of SREB classification in order to preserve equality in the funding recommendation. In order for a freshman algebra student at University of Arkansas - Fayetteville to be recommended for the same funding as one in a freshman algebra class at Southern Arkansas University, the tuition deducted from the need must be the same for both students. Therefore, for four-year institutions, tuition and fee rates for undergraduate, graduate, and doctoral FTE

students are not be broken down by SREB classification, but rather rates will be recommended at each of the levels (undergraduate, graduate, and doctoral).

The 2013-14 tuition policy rates for undergraduate, graduate and doctoral rates is recommended to be based upon the 2012-13 tuition policy adjusted by Higher Education Price Index (HEPI). Future adjustments to the tuition policy will be based upon the most recently published HEPI index. Undergraduate, graduate and doctoral rates for FTE students are recommended to be set at \$179, \$246 and \$276 per SSCH respectively.

Two-Year Institutions

The 2013-14 tuition policy rates for two-year institutions with and without a local tax is recommended to be based upon the 2012-13 tuition policy adjusted by Higher Education Price Index (HEPI). Future adjustments to the tuition policy will be based upon the most recently published HEPI index. The local tax rate is recommended to be set at \$72 per SSCH. For institutions without a local tax the rate is recommended to be set at \$82 per SSCH.

Technical Centers

Since the technical center formula is an adaptation of the two-year funding model and the centers have no local tax, it is the staff recommendation that the technical centers tuition be the same as a two-year college with no local tax, or \$82 per SSCH.

The following chart details the recommended student fee rates to be used for funding purposes for 2013-14 biennium:

AHECB 2013-14 Tuition Rates	
	Per SSCH
Technical Centers	
All	\$82
Two-Year Institutions	
Local Tax	\$72
No Local Tax	\$82
Four-Year Institutions	
Undergraduate	\$179
Graduate	\$246
Doctoral	\$276

ADHE Executive Staff recommend that the Arkansas Higher Education Coordinating Board approve the following resolution.

RESOLVED, That the Arkansas Higher Education Coordinating Board adopts the tuition and mandatory fee recommendations described in this agenda item, recognizing that these amounts are established as required by A.C.A. §6-61-215 for use in the college and university funding formulas for 2013-14. Further resolved that tuition policy rates will be adjusted by the Higher Education Price Index annually.

**ADOPTION OF RULES AND REGULATIONS
TAX CREDITS FOR CONTRIBUTIONS TO QUALIFIED RESEARCH PROGRAMS**

Sections 3 and 4 of Act 759 of the 1985 General Assembly provide tax credits against a taxpayer's Arkansas corporate or individual income tax for contributions to institutions of higher education for the support of certain expenditures in qualified research programs. This agenda item presents for adoption rules governing the contributions for research portions of this legislation.

Act 759 of 1985 requires that the Arkansas Science and Technology Authority (ASTA) and the Arkansas Department of Higher Education adopt rules specifically governing claims for tax credits for contributions to qualified research programs at qualified educational institutions. The proposed rules that follow were developed by ASTA in consultation with ADHE. The development process involved circulation of the rules to institutions of higher education and revisions were made based upon the comments received. In addition, under the Administrative Procedure Act, notice of a public hearing was published. The public hearing was held on Tuesday, December 17, 1985, at 2:00 p.m. at the ASTA offices in Little Rock. The hearing was attended by both ASTA and ADHE staff, but no institutional representatives or other persons attended to raise questions. The rules were originally adopted as emergency rules by the ASTA board and they have been reviewed by the appropriate legislative committee and given favorable advice. They were adopted as permanent rules by the ASTA board on January 16 and will be given permanent status upon adoption by the SBHE.

The Board approved the following resolution on January 31, 1986 (Item No. 8):

RESOLVED, That the State Board of Higher Education hereby adopts the proposed rules governing contributions to qualified research programs at qualified educational institutions as presented in this agenda item.

RESEARCH AND DEVELOPMENT TAX CREDIT PROGRAM FINAL RULES

1.0 General Information

Act 759 of 1985 provides several tax credit incentives to Arkansas taxpayers to support research and educational program efforts at Arkansas colleges and universities.

Act 759 of 1985 allows the Arkansas Science and Technology Authority and the Arkansas Department of Higher Education to adopt certain rules specifically governing claims for tax credits for contributions to qualified research programs at qualified educational institutions.

1.1 Program Name

Those rules will govern the Arkansas Department of Higher Education and the Arkansas Science and Technology Authority's Research and Development Tax Credit Program.

1.2 Purpose

The purpose of the Research and Development Tax Credit Program is to provide incentive to Arkansas industry to participate in the Science and Technology Authority's Applied Research Grant Program, Basic Research Grant Program or similar research programs.

A goal of this program is to further stimulate the transfer of science and technology by enhancing opportunities for research support from industry to colleges and universities.

1.3 Authorization

The Research and Development Tax Credit Program for qualified research programs is authorized by Sections 2 and 3 of Act 759 of 1985, the same being Arkansas Statutes 84-2021.32 and 84-2021.33.

The power to establish rules governing this program is granted by Section 6 of Act 759 of 1985, the same being Arkansas Statute 84-2021.36.

2.0 Program Description

The Research and Development Tax Credit Program allows credits against a taxpayer's Arkansas state income tax for making certain qualified research expenditures as well as certain donations or sales below cost of new machinery and equipment to a qualified research program.

2.1 Limits on Credit

2.1.1 In the case of a qualified research expenditure, the amount of credit granted shall be 33 percent of the amount expended by the taxpayer in the tax year on the qualified research program.

2.1.2 In the case of a donation of new machinery or equipment, the amount of the credit granted shall be 33 percent of the cost of the machinery or equipment donated.

2.1.3 In the case of a sale below cost of new machinery or equipment, the amount of credit granted shall be 33 percent of the amount by which the cost is reduced.

2.1.4 Total credit for qualified research expenditures, donations, and sales below cost shall be limited to 50 percent of the net tax liability of the taxpayer after all other credits and reductions in tax have been calculated.

- 2.1.5 In the case of donations or sales below cost, the credit shall be claimed in the tax year of the donation or sale below cost, but all or any part of the unused credit may be carried over to and claimed in succeeding tax years until the credit is exhausted or until the end of three tax years next succeeding the tax year of the donation or sale below cost, whichever occurs earlier.
- 2.1.6 In the case of a qualified research expenditure, the credit shall be claimed in the tax year in which the expense incurred for the qualified research is actually paid, but all or any part of any unused credit may be carried over to and claimed in succeeding tax years until the credit is exhausted or until the end of three tax years next succeeding the tax year of the payment for the qualified research expenditure, whichever occurs earlier.
- 2.1.7 Any person claiming any credit granted by Act 759 of 1985 for any expense, or contribution, or sale below cost shall not take any deduction under the Arkansas Income Tax Law for the same expense or contribution.

2.2 Definitions

For the purposes of the Authority's Research & Development Tax Credit Program, the following word and phrases have the following definitions.

- 2.2.1 "Applied Research" shall mean any activity which seeks to utilize, synthesize, or apply existing knowledge, information, or resources to the resolution of a specific problem, question, or issue.
- 2.2.2 "Basic Research" shall mean any original investigation for the advancement of scientific or technological knowledge.
- 2.2.3 "Cost" shall mean, in the case of a donation or sale below cost by a wholesale or retail business, the amount actually paid by the wholesaler or retailer to the supplier for the machinery and equipment.

"Cost" shall mean, in the case of a donation or sale below cost by a manufacturer of machinery or equipment, the enhanced value of the materials used to produce the machinery or equipment, which shall be deemed to be the lowest price at which the manufacturer sells the machinery or equipment.
- 2.2.4 "Industry" shall include, but not be limited to, manufacturing facilities, warehouses, distribution facilities, repair and maintenance facilities, agricultural facilities, and corporate management offices for industry.
- 2.2.5 "Machinery and Equipment" shall mean the tangible personal property used in connection with a qualified research program, and which has been approved for a tax credit under rules and regulations prescribed by the Department of Finance and Administration.

- 2.2.6 "New" shall mean the machinery and equipment that is state-of-the-art machinery and equipment which (1) has never been used except for normal testing by the manufacturer to insure that the machinery or equipment is of a proper quality and in good working order, or (2) has been used by the wholesaler or retailer solely for the purpose of demonstrating the product to customers for sale.
- 2.2.7 "Qualified Educational Institution" shall mean (1) any public university, college, junior college, or vocational technical training school supported by the State of Arkansas, or (2) any private university, college, junior college, or vocational technical training school located in the State of Arkansas and qualified for tax-exempt status under Arkansas Income Tax Law, or (3) any public elementary or secondary school located in the State of Arkansas.
- 2.2.8 "Qualified Research Expenditures" shall mean the sum of any amounts which are paid by a taxpayer during the taxable year in funding a qualified research program, and which have been approved for tax credit treatment under rules and regulations promulgated by the Department of Finance and Administration.
- 2.2.9 "Qualified Research Program" shall mean a research program undertaken by a qualified educational institution that meets the eligibility criteria of the Arkansas Science & Technology Authority's Applied Research Grant Program or Basic Research Grant Program.
- 2.2.10 "State-of-the-Art Machinery and Equipment" shall mean machinery and equipment which is of the same type, design, and capability as like machinery and equipment which is currently sold or manufactured by donee for sale to customers.
- 3.0 Eligibility
- Industries and individuals that qualify for a Research and Development Tax Credit under this program will be those which satisfy the following criteria.
- 3.1. Expenditures or donations and sales below cost of machinery and equipment must be made to a qualified educational institution for a qualified research program as defined by these rules.
- 3.2 The taxpayer must provide the following for each piece of machinery or equipment donated or sold below cost.
- 3.2.1 A statement from the receiving, qualified, educational institution that:
- 3.2.1.1 It has received the machinery or equipment,
- 3.2.1.2 The machinery or equipment is "new" machinery or equipment as defined by its rules,

- 3.2.1.3 It has received the machinery or equipment as a donation or, if it purchased the machinery or equipment below cost, a statement of the amount paid for the machinery or equipment,
- 3.2.1.4 The machinery or equipment has been donated or sold to the qualified educational institution for use in a qualified research program,
- 3.2.2 A copy of the invoice from the business' supplier, in the case of a donation or sale below cost by a wholesale or retail business, showing the actual cost of the machinery or equipment, and
- 3.2.3 A copy of the manufacturer's wholesale price list, in the case of a donation or sale below cost by a manufacturer, showing the lowest price for the machinery or equipment for which credit is claimed.
- 3.3 In order to claim a tax credit for qualified research expenditures, the taxpayer must provide a statement from the Arkansas Science & Technology Authority that the Arkansas Department of Higher Education and the Arkansas Science & Technology Authority have approved the expenditure as part of a qualified research program.

4.0 APPLICATION PROCESS

Application for an Arkansas Income Tax Credit under this program shall be submitted to the Arkansas Science and Technology Authority. The following three documents must be submitted as part of this application,

- 4.1 An application form provided by the Authority must be completed with the following information included,
 - 4.1.1 Name and address of the applicant,
 - 4.1.2 Tax identification number of the applicant,
 - 4.1.3 Name and address of the qualified educational institution and conducting the qualified research program,
 - 4.1.4 Title of the qualified research program,
 - 4.1.5 Name and phone number of the contact person for the qualified research program,
 - 4.1.6 Amount of value of the donation,
 - 4.1.7 Date of the donation,
 - 4.1.8 Any other information that may be required by the Authority.

4.2 A copy of the statement from the receiving educational institution (as described in Section 3.2.1). A copy of the check or receipt for the donation must be included with this statement.

4.3 A copy of the proposal for the research program receiving the donation.

5.0 EVALUATION

Proposals for tax credit treatment for expenditures, donations, or sales below cost to qualified research programs will be evaluated on the basis of the following criteria.

5.1 EVALUATION CRITERIA

5.1.1 All applications will be reviewed by Authority staff for completeness.

5.1.2 Such proposals will be thoroughly investigated by Authority staff to assure that all eligibility criteria are met.

5.2 TAX CREDITS GRANTED

Final decisions on granting tax credits will be made by the Board of Directors of the Arkansas Science and Technology Authority.

6.0 NOTIFICATION LETTER

The Board shall notify all taxpayers applying for tax credit treatment under this program of its final decision by letter.

Approved by the Arkansas Science and Technology Authority on this ____ day of _____, 1986.

Louis L. Ramsay, Jr.
Chairman, Board of Directors
Arkansas Science and Technology

Authority

Approved by the Arkansas Department of Higher Education on this ____ day of _____, 1986.

Approved: Agenda Item No. 8
January 31, 1986

Citation: [26-51-1102](#)

UNIFORM REPORTING OF ATHLETIC REVENUES AND EXPENDITURES

Act 245 of 1989 directs the State Board of Higher Education to develop and establish uniform accounting standards for reporting athletic revenues and expenditures, and based on these standard definitions and formats, collect the financial data, and provide a uniform report of each institution's revenues and expenditures to the Legislative Joint Auditing Committee and the public by November of each year. In addition, this legislation directs the State Board to consider "the issues of athletic expenditures and appropriate levels of state support and report their findings to the General Assembly prior to the 78th Session commencing January 1991."

Over the past several months, the ADHE finance staff has worked with a subcommittee and the full committee of chief fiscal officers to develop a set of definitions, instructions, and forms to present the germane categories of athletic revenues and expenditures. In addition, ADHE staff has met with Legislative Audit staff on several occasions and the presidents and chancellors to give status reports and to receive their input.

The following resolution was approved on April 20, 1990 (Item No. 6):

RESOLVED, That the Director is instructed to prepare appropriate documents for transmission of the State Board of Higher Education's Uniform Accounting System for Athletic Revenues and Expenditures to state two-year and four-year institutions as displayed on ADHE Form 21-1 and the attached instructions.

FURTHER RESOLVED, That all institutions with intercollegiate athletic programs in FY 1989-90 report by October 1, 1990, revenues and expenditures for these programs in accordance with the instructions and format adopted by the State Board.

FURTHER RESOLVED, That the staff of the Department is directed to analyze and present the formation provided by the institutional reports, and that the State Board will make recommendations to the General Assembly and Governor concerning appropriate levels of state support for intercollegiate athletics, as required by Act 245 of 1989.

Citation: [6-62-106](#), [6-62-805](#)

**DEFINITIONS AND INSTRUCTIONS
FOR COMPLETING ADHE FOR
SURVEY OF INTERCOLLEGIATE ATHLETICS REVENUES AND EXPENDITURES**

INTERCOLLEGIATE ATHLETICS - Includes all revenues, expenditures, and transfers related to the operation of all men's and women's intercollegiate sports programs.

OTHER ACTIVITIES - Those activities which are not necessarily sport-specific, e.g., concessions, athletic camps, etc. Provide the detail as to what this category encompasses in a note.

TRANSFERS IN - Transfers to the auxiliary athletics fund from another fund or from a prior year balance.

TRANSFERS OUT - Transfers from the auxiliary athletics fund to other funds or accounts.

GENERAL INSTRUCTIONS

- * Report all amounts to the nearest dollar.
- * Use accrual accounting.
- * Report all expenditures related to intercollegiate athletics which are paid by an institutionally held fund.
- * Report all revenue and expenditures for women's athletics programs in Column F. The sport-specific columns are for men's athletics only.
- * Total Expenditure for Athletics should equal Total Revenue for Athletics unless there is excess athletic revenue for that year.

INSTRUCTIONS

LINE#

1. Report on LINE 1 all income related to athletic ticket sales and admissions.
2. Report on LINE 2 all radio/tv income, in-season tournament income, and all post-season activities (bowl games and tournaments).
3. Report on LINE 3 all revenues associated with game concessions and program sales. This category is not sport-specific and should be reported in the Other Activities column.
4. Report on LINE 4 all revenues associated with game guarantees.

5. Report on LINE 5 monies from foundations, clubs and other private gifts which are received by institutionally held accounts.
6. Report on LINE 6 those board-sanctioned mandatory fees specifically assessed to students to support the operations of intercollegiate athletics or debt service for any athletic facility. Do not include transfers of student activity fees on this line.
7. Report on LINE 7 all income from sources not listed on previous lines including, but not limited to, interest on pre-season ticket sales, athletic camps, parking fees, etc.
8. Report on LINE 8 the federally funded portion of the College Work Study Program.
9. Report on LINE 9 transfers from the current year other auxiliary accounts. The total of transfer cannot exceed the net profit of all auxiliary accounts for that current year.
10. Report on LINE 10 all transfers from the current year unrestricted educational and general fund needed to balance the athletic revenues against athletic expenditures.
- 11-16. Report separately on LINES 11-16 transfers from other funds. Include prior year balances and identify the source of balances (auxiliary, e. & g, plant, etc.).
17. Report on LINE 17 the sum of LINES 1-16 in each column.
18. Report on LINE 18 gross salaries of athletic staff. Exclude maintenance and custodial staff and employees serving on an hourly basis. Provide the budgeted FTE staff by sport at the footnote line "* Budgeted FTE Positions." (If a coach teaches 6 hours based on a full-time workload expectation of 12 hours, only 50% of that salary may be prorated to educational and general and 50% to athletics. The percentage FTE shown as a budgeted FTE position would be .5 FTE).
19. Report on LINE 19 the sum of all staff benefits including, but not limited to, retirement, hospitalization, disability, tuition and housing remission, social security, unemployment and compensation, group life insurance, workman's compensation, etc. provided by the institution for all athletic staff whose salaries are shown on line 18. Prorate as necessary.
20. Report on LINE 20 wages paid to temporary employees including, but not limited to, office support staff, student institutional help (non-CWSP), game support personnel (announcers, ushers, ticket agents or takers, concessionaires, special security), and game officials (referees, umpires, scorekeepers).
21. Report on LINE 21 100% of the cost of College Work Study Program.
22. Report on LINE 22 game guarantees and all costs associated with game guarantees.

23. Report on LINE 23 all expenditures related to tuition and fees (in-state and out-of-state), books, housing (state and non-state owned), and food service (state and non-state owned) for in-state and out-of-state athletes on athletic scholarship regardless of institutional policy. Do not include expenditures financed with other grants-in-aid, e.g., Pell.
24. Report on LINE 24 all expenditures for third-party services related to medical insurance and injury claims, e.g., retainers, hospitals, payments not covered by insurance, etc.
25. Report on LINE 25 all expenditures for intercollegiate athletic travel including, but not limited to, individual and team travel, recruitment travel, meals, lodging and use of motor pool vehicles. (The athletic department must be charged at the same rate as other departments for use of the institutional motor pool).
26. Report on LINE 26 all expenditures for equipment.
27. Report on LINE 27 all expenditures for concessions and programs. This category is not sport-specific and should be reported in the Other Activities column.
28. Report on LINE 28 all expenditures for general maintenance and operations, e.g., telephone, supplies, postage, conference dues, direct leasing costs for automobiles, athletic training centers. Provide the amount of the annual conference dues and the conference title in a note. Exclude all charges for facilities maintenance and utilities (electric, gas, water, garbage) which are to be reported on LINE 29.
29. Report on LINE 29 expenditures related to the athletic facilities such as rent, utilities, custodial services, grounds maintenance, building maintenance, and insurance. To arrive at a minimum facilities allocation, add LINES 18-28 and LINES 31-37, and multiply by 10.65%.

- 30. Report on LINE 30 all expenditures for mandatory debt service for all athletic facilities.
- 31. Report on LINE 31 all expenditures not listed on previous lines including, but not limited to, expenditures related to spirit groups, including travel, uniforms, camp expenses, and supplies for cheerleaders and pep squad. (Do not include marching band). Also, include any other miscellaneous expenses which do not appropriately fit in any of the above categories.
- 32-37. Report separately on LINES 32-37 any transfers from auxiliary athletic fund to other funds.
- 38. Report on LINE 38 the sum of LINES 18-37 in each column.

Approved: Agenda Item No. 6
April 20, 1990

**UNIFORM REPORTING INSTRUCTIONS AND FORMS
REVENUES AND EXPENDITURES
BY ACADEMIC DEPARTMENT AND PROGRAM
AND PRODUCTIVITY BY PROGRAM**

In October 1993, the State Board of Higher Education reviewed proposed instructions for the development of uniform reporting procedures as an "information only" item. Through this agenda item the Board will establish uniform reporting procedures and instructions necessary for the implementation of Act 537 of 1993. Act 537 requires public institutions of higher education to provide the Joint Interim Committee on Education of the General Assembly annual uniform reports of current fund educational and general (E&G) revenues and expenditures associated with each academic department and, within each department, the academic programs. The act also requires the report to include data relating to the productivity of academic departments and programs. The first report (on the 1993-94 fiscal year) is due December 1, 1994.

Throughout the development of this process, ADHE staff conducted several meetings with an institutional advisory committee, chief fiscal officers, and representatives from non-formula institutions/entities. Since the October Board meeting, staff have compiled a "test run" of the methodology using 1992-93 institutional fiscal data and 1993-94 institutional SIS submissions because the 1992-93 SIS was not fully operational.

The 1992-93 "test run" fiscal data for each institution was allocated to 1993-94 summer II, fall, and spring courses using the institutional SIS Course File, Fall Instructor File, and Supplemental Registration File submissions. The "test run" is incomplete since the fiscal data and the incomplete SIS data are from different years. The new SIS Annual Instructor Record that provides total annual compensation for each instructor, rather than fall contract salary amounts, will be submitted for the first time in September.

Although the test data were incomplete, the "test run" has validated the methodology and the software logic. Institutions received copies of their test runs by academic department on June 25, 1994, and by academic program on July 11, 1994. To date, reviews of the data have presented no major concerns; however, we will continue to fine tune institutional submissions, software logic, and report formats as needed.

The 1993-94 uniform reporting data for **formula institutions** will be compiled using information submitted by institutions through the Student Information System (SIS), the ADHE 1993-94 17-Series financial reports, and through uniform accounting reports of 1993-94 direct revenues and expenditures by academic department/division (**See Appendix A**). Reporting formats have been developed for each **nonformula institution/entity** that are unique to each mission and organizational structure.

FORMULA INSTITUTIONS

Formula institutions will report information only to the department/division level (**See Appendix B**). Direct revenues and expenditures attributable to each academic department/division will then be allocated back to the course level based on pro rata methods using either the course's faculty salary share of the total departmental faculty salaries or the ratio of course SSCH to the departmental SSCH, whichever is applicable. The new SIS Annual Instructor Record submission will provide **total annual compensation received and workload allocations** during the previous fiscal year for each instructor. This will allow more accurate allocation of faculty compensation to instruction (by course), advising, research, and/or public service functions.

The Department will allocate indirect revenue and expenditures reported by institutions in the 17-Series (the 17-1 for revenue, and the 17-2 and 17-7B for expenditures) and for institution-wide support functions down to the course level based on the ratio of the course's SSCH production to total institutional SSCH (**See Appendix A**). Once expenditures and revenues have been taken to the course level, total departmental and program costs can be constructed by identifying the producing department and program for the SSCH generated by each course.

The final report submitted to the General Assembly will show revenues, expenditures, and state subsidy by academic department and program. The total of current fund educational and general revenues and expenditures by department or program will equal the total current fund E&G revenues and expenditures of the institution.

Formula institutions will provide additional information as follows:

1. Productivity by Program. The data are collected through the SIS and include the number of declared majors; SSCH produced by level; and degrees, certificates or diplomas granted. Institutions will not be required to make additional reports on these data.
2. Low Production Programs. SIS data will identify undergraduate programs producing fewer than ten graduates annually, and graduate programs producing fewer than five graduates annually.
3. Institutional Academic Program Priorities. Each institution will report its top ten academic program priorities (**See ADHE Form 22-3, Appendix B**).

NONFORMULA INSTITUTIONS/ENTITIES

Since each of the nonformula institutions/entities are units of the University of Arkansas System having unique purpose and organizational structure, a distinct, suitable uniform reporting format has been developed for each entity (**See Appendix C**). Because UAF administratively supports these units, **Attachment A** in **Appendix C** outlines the methodology for allocating a portion of the UAF Institutional Support costs to AES, CES, AS, and the UA-System for administrative overhead. In addition, **Attachment A** outlines the methodology for allocating the Current Fund

E&G revenues and expenditures of the entire UA-System budget to all of the UA campuses and entities.

The proposed methodologies for (1) the UAF administrative overhead, (2) UA-System Current Fund E&G revenues and expenditures, and (3) reporting formats for each UA entity are described below:

UAF Institutional Support Costs

Five (5) to ten (10) percent of the UAF Institutional Support costs will be allocated to the UA-System, AES, CES, and AS on the basis of their pro rata share of total Current Fund E&G expenditures for the four (4) entities combined. A determination of the percentage used will be made after further discussions.

UA - System Total Revenues and Expenditures

Total Current Fund E&G revenues and expenditures of the UA-System will be allocated to UAF, UALR, UAMS, UAM, UAPB, AES, CES, and AS as an indirect entry on the basis of their pro rata share of total Current Fund E&G revenues and expenditures for the five (5) campuses and three (3) remaining entities combined.

UA - Agricultural Experiment Station

UA-AES will report direct Current Fund E&G revenues and expenditures by Program Area (Beef, Aquaculture, etc.). Indirect Current Fund E&G revenues and expenditures, to include UAF

Institutional Support and UA-System costs, should be allocated to Program Area on the basis of their pro rata share of total Program Area Current Fund E&G revenues and expenditures (**Appendix C, Attachments C1 and C2**).

UA - Cooperative Extension Service

UA-CES will report direct Current Fund E&G revenues and expenditures by Program Area (Agriculture, 4-H Youth Development, etc.). Indirect Current Fund E&G revenues and expenditures, to include UAF Institutional Support and UA-System costs, should be allocated to Program Area on the basis of their pro rata share of total Program Area Current Fund E&G revenues and expenditures (**Appendix C, Attachments D1 and D2**).

UA - Archaeological Survey

UA-AS will report Current Fund E&G direct revenues and expenditures by Station Location (Monticello, Fayetteville, etc.). Indirect Current Fund E&G revenues and expenditures to include UAF Institutional Support and UA-System costs should be allocated, to Station Location on the basis of their pro rata share of total Station Location Current Fund E&G revenues and expenditures (**Appendix C, Attachments E1 and E2**).

University of Arkansas for Medical Sciences

UAMS will report direct Current Fund E&G revenues and expenditures for the following colleges/departments: (1) Medicine, (2) Nursing, (3) Pharmacy, (4) Health Related Professions, (Departmental Research is included in previous four colleges), (5) Non-Degree Education, (6) Patient Care, (7) Clinical Studies, (8) Research, (9) Public Service, and (10) Indirect Medical Education.

Departmental reports of direct revenues and expenditures will already include their share of plant maintenance expenditures/revenue, University Hospital expenditures/-revenue, MCPG expenditures/revenue, and any other support program expenditures/-revenue that can be directly allocated or attributed. A separate departmental report for **Patient Care** will include University Hospital and MCPG expenditures/revenue that will not be allocated to any academic college either directly or indirectly. Finally, UAMS will allocate indirect support costs of Institutional Support, Academic Support, and Student Services to departments on the basis of expenditures (**Appendix C, Attachments F1 and F2**).

The uniform reporting schedule for 1993-94 follows:

July 22, 1994 State Board approval of forms and instructions.

September 1, 1994 Annual Instructor Record due at ADHE

September 15, 1994. Initial reports for 1993-94 due at ADHE.

October 15, 1994. ADHE proration of indirect expenditures returned to institutions for review.

November 15, 1994 Final reports due at ADHE.

December 1994 Reports reviewed by SBHE and transmitted to Joint Interim Committee on Education.

Flow charts describing the reporting methodologies for formula institutions are attached in **Appendix A**. Departmental reporting forms and instructions for formula institutions are attached in **Appendix B** and for nonformula institutions in **Appendix C**. In addition, **Appendix D** presents an outline of the report formats and sample reports from the 1992-93 data "test run."

The following resolution was approved by the Board on July 22, 1994 (Item No. 7):

RESOLVED, That the State Board adopts the uniform reporting procedures, forms, and instructions, as presented in this agenda item to be used by staff and institutions for annual uniform reports of Current Fund Educational and General revenues and expenditures by academic department and by academic program and other productivity reports of academic departments and programs as required by Act 537 of 1993.

FURTHER RESOLVED, That should any errors of a technical nature be found in these procedures and instructions, the Director is authorized to make appropriate corrections consistent with Act 537 of 1993.

FURTHER RESOLVED, That the State Board authorizes the Director of the Arkansas Department of Higher Education to issue final uniform reporting instructions to four-year institutions and their branches, nonformula institutions/entities, and community and technical colleges.

Citation: [6-61-222](#)

**ADHE FORM 22-1
CURRENT FUNDS EDUCATIONAL & GENERAL EXPENDITURES
BY ACADEMIC DEPARTMENT
DEFINITIONS AND INSTRUCTIONS**

GENERAL DEFINITIONS

CURRENT FUNDS EDUCATIONAL & GENERAL EXPENDITURES - These expenditures represent the costs incurred for goods and services used in the conduct of an institution's operations, and include unrestricted and restricted educational and general expenditures for the support of academic programs.

ACADEMIC DEPARTMENT - ADHE approved organizational unit of instruction producing SSCH. Do not include organizational units which do not produce SSCH.

INSTITUTIONAL ACCOUNT NUMBER - The account number, as recorded in the institutional accounting system, assigned by the institution to the instructional unit.

ADHE DEPARTMENT CODE - The appropriate instructional department code from the list supplied by ADHE.

UNRESTRICTED EDUCATIONAL AND GENERAL EXPENDITURES - Operating expenditures allocated to the department budget for any purpose deemed necessary by the institution's management. This category includes all "designated funds" (unrestricted funds that may be used only for those purposes designated by the institution's governing board). **Report in Column B.**

RESTRICTED EDUCATIONAL AND GENERAL EXPENDITURES - Operating expenditures from funds received by the institution from an external entity which specifies the purpose for which the funds are to be used and to which purpose the department's use is restricted. **Report in Column C.**

GENERAL INSTRUCTIONS

- * Report for SSCH producing departments only.
- * Report all amounts to the nearest dollar.
- * Use accrual accounting.
- * Report all current funds direct expenditures made by an academic department.
- * Report actual expenditures consistent with the institutional year-end financial statement and ADHE 17-Series reports.

LINE BY LINE INSTRUCTIONS

Line
#

1. Report on **LINE 1** all instructor salaries, excluding any portion separately budgeted for non-teaching functions, e.g., research, public service, and administration. Include adjunct faculty pay, summer and overload pay, and the teaching portion of graduate assistants' stipends if the GA's are instructors of record; if the GA's assist in the classroom, report in line 8.
2. Report on **LINE 2** gross salaries of administrative and clerical staff charged to the department budget other than extra help employees and student labor. **Include** the **nonteaching** portion of a salary split between administration and teaching (dept. chair).
3. Report on **LINE 3** gross salaries of the department's extra help.
4. Report on **LINE 4** gross salaries of the student labor charged to the department budget. **Do not include** any wages paid from student financial aid or work study which are not allocated directly to the department budget.
5. Report on **LINE 5** the sum of all fringe benefits for all employees charged to the department budget.
6. Report on **LINE 6** the sum of lines 1 through 5.
7. Report on **LINE 7** all expenditures for equipment.
8. Report on **LINE 8** other current expenditures including supplies and services, e.g., telephone, supplies, postage, maintenance contracts, etc.; travel, performance and any other departmental scholarships, fellowships, graduate assistantships (excluding teaching stipends), dean's office, and other expenditures. In reporting dean's office expenditures, prorate all costs of the academic dean's office, to which the department reports, in the same ratio as the department's SSCH production to the total SSCH produced by all departments reporting to that dean. In community and technical colleges, the expenditures of the division chairs' offices and of the chief academic and chief technical education officers would be allocated in a similar manner.
9. Report on **LINE 9** all costs associated with research budgeted at the departmental level.
10. Report on **LINE 10** expenditures for organized activities related to the department which provide opportunities for students to gain practical experience, e.g., radio stations, farms, child care centers, etc.
11. Report on **LINE 11** the total of lines 6 through 10.

REPLACE WITH FORM 22-2

**ADHE FORM 22-2
CURRENT FUNDS EDUCATIONAL & GENERAL REVENUES
BY ACADEMIC DEPARTMENT
DEFINITIONS AND INSTRUCTIONS**

GENERAL DEFINITIONS

CURRENT FUNDS EDUCATIONAL & GENERAL REVENUES - Income generated by the fulfillment of the primary purposes of colleges and universities: instruction, research, and public service.

ACADEMIC DEPARTMENT - ADHE approved organizational unit of instruction producing SSCH. Do not include organizational units which do not produce SSCH.

INSTITUTIONAL ACCOUNT NUMBER - The account number, as recorded in the institutional accounting system, assigned by the institution to the instructional unit.

ADHE DEPARTMENT CODE - The appropriate instructional department code from the list supplied by ADHE.

UNRESTRICTED EDUCATIONAL AND GENERAL REVENUES - Revenues that may be used for any purpose deemed necessary by the institution's management. This category includes all "designated funds" (unrestricted funds that may be used only for those purposes designated by the institution's governing board). **Report in Column B.**

RESTRICTED EDUCATIONAL AND GENERAL REVENUES - Revenues received by the institution from an external entity which specifies the purpose for the funds and to which purpose the department's use of the funds is restricted. **Report in Column C.**

GENERAL INSTRUCTIONS

- * Report for SSCH producing departments only.
- * Report all amounts to the nearest dollar.
- * Use accrual accounting.
- * Report all current funds direct revenues generated by an academic department.
- * Report current funds revenues consistent with year end financial statement and ADHE 17-Series reports.
- * Report actual revenues consistent with the institutional year-end financial statement and ADHE 17-Series reports.

**ADHE FORM 22-2
LINE BY LINE INSTRUCTIONS**

LINE
#

1. Report on **LINE 1** in Column B undergraduate and graduate SSCH produced by the Department, and income from tuition only related to SSCH generated by the academic department as follows:

Report on **LINE 1A** undergraduate SSCH produced by the department.

Report on **LINE 1B** graduate SSCH produced by the department.

Report on **LINE 1C** the sum of the following calculations:

Undergraduate Calculation: Aggregate annual undergraduate tuition only and divide by the total institutional undergraduate SSCH. The result will be the average tuition per undergraduate SSCH. That average will be multiplied by the number of undergraduate SSCH produced by the department.

Graduate Calculation: Aggregate annual graduate tuition only and divide by the total institutional graduate SSCH. The result will be the average tuition per graduate SSCH. That average will be multiplied by the number of graduate SSCH produced by the department.

2. Report on **LINE 2** the total of special fees attributable to the department such as laboratory fees, etc.
3. Report on **LINE 3** only those government appropriations attributable to the department received by or made available to the institution through acts of a legislative body or local taxing authority for operating purposes, **EXCLUDING STATE GENERAL REVENUE** and excluding governmental grants and contracts.
4. Report on **LINE 4** in Column B all unrestricted amounts received or made available for instructional purposes by grants, contracts, and cooperative agreements from governmental agencies for current operations of the academic department. Report in Column C, to the extent expended, all amounts received or made available to the department for instructional purposes through restricted grants, contracts, and cooperative agreements.
5. Report on **LINE 5** income derived from private gifts, grants, and contracts with nongovernmental organizations and individuals, including funds resulting from contracting for the furnishing of goods and services of an instructional nature, and that is directly attributable to the academic department. Report unrestricted revenue in column B and restricted revenue in column C.

6. Report on **LINE 6** in Column B unrestricted income from endowment and similar funds that is directly attributable to the academic department. Report in Column C restricted income directly attributable to the academic department from endowment and similar funds to the extent expended for current operations. Also include in column C income from funds held in trust by others under irrevocable trusts.
7. Report on **LINE 7** sales and services revenues related incidentally to the conduct of instruction that are directly attributable to the academic department. Include revenues of activities that exist to provide instructional and laboratory experience for students and that incidentally create goods and services that may be sold to students, faculty, staff, and the general public, i.e., campus radio advertising, child care revenues, testing services, etc. Most commonly, these revenues will be reported in Column B.
8. Report on **LINE 8** sales and services revenues (net of discounts, allowances, and provision for doubtful accounts) generated by hospitals from daily patient, special, and other services. Revenues of health clinics that are part of a hospital are included in this category. Not included are revenues from research and other specific-purpose gifts, grants, or endowment income restricted to a hospital.
9. Report on **LINE 9** interest income, gains/losses on investments, expired term endowments, and terminated annuity or life income agreements that are attributable to the department. Report unrestricted revenue in Column B and restricted revenue in column C. (This line probably will not be used.)
10. Report on **LINE 10** income from sources other than those listed above such as miscellaneous rentals and sales. Report unrestricted revenue in column B and restricted revenue in Column C.
11. Report on **LINE 11** the sum of lines 1C through 10.

**ARKANSAS DEPARTMENT OF HIGHER EDUCATION
UNIFORM REPORTING FORMATS**

I. REPORT 1 - SUMMARY OF TOTAL E&G EXPENDITURES BY INSTITUTION
(17-series)

- A. ROWS - NACUBO EXPENDITURE FUNCTIONS (7)
- B. COLUMNS - TOTAL EXPENDITURES (3)
 - 1. UNRESTRICTED E&G
 - 2. RESTRICTED E&G
 - 3. TOTAL

II. REPORT 2 - INSTITUTIONAL SUMMARY OF TOTAL E&G REVENUES
(17-Series)

- A. ROWS - INSTITUTIONAL REVENUE BY CATEGORY (3)
 - 1. TOTAL LOCAL INCOME
 - 2. STATE GENERAL REVENUE RECEIVED
 - 3. INSTITUTIONAL TOTAL
- B. COLUMNS - TOTAL REVENUES (3)
 - 1. UNRESTRICTED E&G
 - 2. RESTRICTED E&G
 - 3. TOTAL

III. REPORT 3 - E&G EXPENDITURES BY DEPARTMENT BY OBJECT (FORM 22-1)

- A. ROWS - OBJECTS (7)
 - 1. FACULTY SALARIES
 - 2. FRINGES & OTHER SALARIES
 - 3. SUPPLIES & SERVICES
 - 4. ETC.
- B. COLUMNS - EXPENDITURES BY TYPE (3)
 - 1. UNRESTRICTED E&G
 - 2. RESTRICTED E&G
 - 3. TOTAL
- C. SUMMARY - INSTITUTIONAL TOTAL FOR ALL DEPARTMENTS SAME
RxC

IV. REPORT 4 - E&G REVENUES BY DEPARTMENT BY CATEGORY (FORM 22-2)

- A. ROWS - CATEGORIES (9)
 - 1. TUITION
 - 2. SPECIAL FEES
 - 3. ETC.
- B. COLUMNS - REVENUES BY TYPE (3)
 - 1. UNRESTRICTED E&G
 - 2. RESTRICTED E&G
 - 3. TOTAL
- C. SUMMARY - INSTITUTIONAL TOTAL FOR ALL DEPARTMENTS SAME
RxC

V. REPORT 5 - AGGREGATION DETAIL BY DEPARTMENT (OR CIP) BY COURSE BY LEVEL (INSTITUTIONAL USE ONLY)

- A. ROWS - DEPARTMENTS (DEGREE PROGRAM OR CIP) BY CODE
 - 1. COURSES BY LEVEL
- B. COLUMNS - DATA DETAIL
 - 1. DEPT. CODE
 - 2. CIP CODE (4 DIGITS)
 - 3. COURSE NAME
 - 4. COURSE LEVEL
 - 5. TOTAL REVENUE
 - 6. TOTAL EXPENDITURES
 - 7. SSCH PRODUCTION
 - 8. COURSE SSCH AS PERCENT OF TOTAL
 - 9. REVENUE PER SSCH
 - 10. EXPENDITURES PER SSCH

VI. REPORT 6 - LEGISLATIVE SUMMARY REPORT BY DEPARTMENT (DEGREE PROGRAM OR CIP) BY LEVEL (LEGISLATIVE REPORT)

- A. ROWS - DEPARTMENTS (DEGREE PROGRAM OR CIP)
- B. COLUMNS - DATA SUMMARY (7)
 - 1. DEPARTMENT NAME
 - 2. TOTAL REVENUE
 - 3. TOTAL EXPENDITURES
 - 4. GENERAL REVENUE SUBSIDY
 - 5. SSCH PRODUCTION
 - 6. FTE ENROLLMENT
 - 7. TOTAL REVENUE PER FTE BY LEVEL
 - 8. TOTAL EXPENDITURES PER FTE BY LEVEL

7. GENERAL REVENUE SUBSIDY PER FTE BY LEVEL

Approved: Agenda Item No. 7
July 22, 1994

**REPORTING OF FUND BALANCES AS REQUESTED AT OCTOBER 10, 1969
MEETING AND THE ADVISABILITY OF CONSIDERING AUXILIARY SERVICES
INCOME AND EXPENDITURES AS A PART OF THE APPROPRIATION PROCESS**

The purpose of this agenda item is to report to the Commission on two matters: (1) the separation of educational and general and auxiliary funds and (2) the status of uncommitted funds in the institutions of higher education in Arkansas. This is being done as a result of the resolution passed by the Commission at its October 10, 1969, meeting which was as follows:

RESOLVED, That the Executive Director be instructed to investigate the type of administrative and financial controls (including legal authority therefore) which would be required to properly coordinate receipt and expenditure of revenue earned by auxiliary services with legislative appropriations process.

In order to fully explore the first item of concern, the Executive Director made a restudy of the manual which has been used by college and university business personnel for a number of years and has been generally accepted as the source of authority in this area. The title of this manual is College and University Business Administration and it is published by the American Council on Education. Persons representing related professional groups were utilized in the development of the manual. Groups represented on the committees included the National Association of College and University Business Officers, the American Institute of Certified Public Accountants, the U.S. Office of Education, the American Council on Education and several special consultants.

Quoting from page 153 of this manual, this statement is made concerning the revenues and expenditures of auxiliary enterprises:

The financial operations of auxiliary enterprises should be reported separately in the Statement of Current Funds Revenues, Expenditures, and Transfers. Accounts should be maintained and reports presented on the accrual basis.

Expenditures should include all direct operating costs, charges for the operation and maintenance of the physical plant used by the enterprises, appropriate shares of general administrative and institutional expenditures, and, if applicable, charges for debt service on the physical facilities in which the auxiliary enterprises are located. Any provision made out of revenues of the enterprises for the renewal and replacement of their plant properties should also be included.

This statement above indicates that the separation of these two aspects of institutional operation should be done. Although this is done, this does not mean that transfers between the two might not be made, but on page 130 of the manual it states that, "If auxiliary enterprises receive a subsidy, the accounting records and reports should disclose the amount and source. Similarly, if revenues exceed expenditures after provision for reserves and any debt service, the amount of excess and its disposition should be disclosed."

Quite often the Arkansas Commission consults with surrounding statewide boards for information which is utilized in making decisions affecting Arkansas higher education. The Director, in this case, turned to some of the surrounding states to find out how auxiliary enterprises are handled in terms of accounting. States contacted include Missouri, Tennessee, Mississippi, Texas, Louisiana and Oklahoma. Replies indicate that the American Council on Education's manual is utilized in each case. The Missouri Commission on Higher Education in a November 5 letter stated that, "The separation between educational and general and auxiliary enterprises is directly that spelled out in the ACE handbook." In a November 7 letter from the Tennessee Higher Education Commission it is stated that, "The State of Tennessee also feels that auxiliary operations should be self-supported and we do not include the funds that are anticipated from auxiliary enterprises nor the cost of operating those enterprises in our educational appropriations request." The Coordinating Board of the Texas College and University System, in a November 14 letter indicated that "The procedure used by this State related to the separation of education and general and auxiliary funds is the same as prescribed in the College and University Business Administration published by the American Council on Education."

In a November 11 letter from Chancellor E. T. Dunlap of the Oklahoma State Regents for Higher Education he states that, "Our budgeting in Oklahoma higher education for educational and general operations is separate and distinct entirely from the budgeting for operation of auxiliary enterprises (dormitories, food service, student unions, and other similar-type operations)." Dr. E. E. Thrash of the Board of Trustees of Institutions of Higher Learning in Mississippi stated in a letter of November 6 that:

The Board of Trustees of Institutions of Higher Learning, State of Mississippi, has requested the individual institutions under its jurisdiction to adopt the College and University Business Administration Handbook as the guide for all university and college reporting. Prior to this action, the Board requested that all truly auxiliary enterprises be self-supported. We do not include the revenue from auxiliary enterprises in our revenues reported to the total requests for support need. However, we do report to the Budget Commission our total budget, which does include auxiliary enterprises, with the understanding that these are self-supported and do not require a supplement of State appropriated funds.

The Louisiana Coordinating Council for Higher Education, in a letter of November 21 stated that, "Louisiana presently takes the position that auxiliary functions at higher education institutions are self-supporting, and should be considered separately. No state funds are ever appropriated to help support these functions."

The above discussion gives an indication of the procedures followed in surrounding states and what the authoritative manual utilized by colleges and universities has to say about separation of educational and general and auxiliary revenues and expenditures. Also, the action of the Arkansas Commission over the years of its existence indicates that it stands for this same principle. If these funds were to be combined for appropriation purposes, this would raise questions such as: Should the same rate of room and board be charged at each institution? What should be the rate of charge to the student when he lives in a dormitory which is debt free?

Should the State appropriate funds for the operation of auxiliary enterprises? What shall an institution be allowed to spend its auxiliary income for? etc.

It can be seen that some of the questions raised by changing this procedure would be very difficult to answer because of the present authority of the commission and also it would be in violation of the principle adhered to by other states and that of the Arkansas Commission up to this point.

Recognizing the need to have reports of available funds prior to their accumulation, it is being recommended that for the appropriation process the continued separation of educational and general and auxiliary expenditures and income be kept, but that the institutions be required annually to report to the Commission the total income and expenditure picture of education and general operations as well as auxiliary enterprises. This will also include a report of fund balances and an explanation of the source of these fund balances and the nature and amount of commitments against them. In doing this the principle of separation will be maintained and the total financial picture of the institution will be known by the Commission. Financial Reports of institutions have been submitted to the Commission in the past, but do not always give all information needed. This report should be modified to give more of the desired information.

Report of Funds Balances as of June 30, 1969

The Commission at its October 10, 1969, meeting reviewed a request for a Physical Education Building for Henderson State College in which it was revealed that uncommitted plant funds were to be utilized in helping to finance this construction project. After much discussion the Commission asked the Director to investigate as to whether or not this is the case for other institutions. Further, the staff was asked to make a recommendation concerning the combining of all income of the institution in the appropriation process as outlined elsewhere in this agenda item.

In order to make an evaluation of uncommitted funds, forms were devised by the Commission staff which were completed by institutions. Reports submitted reflected considerable detail related to the various fund groups at each institution and the amount of these funds uncommitted as of June 30, 1969.

After receiving data from the institutions, the Commission staff spent a limited amount of time in reviewing this material with institutional personnel when items reported by the institution were questionable. In many instances there would be some disagreement as to whether funds were uncommitted.

General findings from these reports indicate that only three institutions had a significant amount of uncommitted funds on hand as of June 30, 1969. Whether or not funds reported by the institutions as being committed should have been uncommitted was questionable in a number of instances. But due to the fact that the board of each institution can make this decision the Commission staff went along with the amount of uncommitted funds if there was any sufficient reason for these commitments.

The Board approved the following resolution on January 16, 1970 (Item No. 17):

RESOLVED, That the Commission on Coordination of Higher Education Finance adopts the principle of continued separation of educational and general and auxiliary expenditures and income and that auxiliary enterprises will not be considered in the appropriation process.

FURTHER RESOLVED, That the Executive Director is directed to annually obtain a report of income and expenditures of educational and general and auxiliary operations of each institution for the most recently completed fiscal year and that this report contain the status of fund balances and an explanation of the source of these fund balances, and the nature of the amount of commitments against them.

Approved: Agenda Item No. 17
January 16, 1970

REVISION TO BOARD POLICY REGARDING ECONOMIC FEASIBILITY OF BOND ISSUES

The following revisions are recommended to the current board policy regarding Economic Feasibility of Bond Issues, Section VI.B.5 adopted October 14, 2008.

AHECB POLICY FOR MAINTENANCE OF NEW FACILITIES

This policy is proposed to ensure that in the future all newly constructed or purchased facilities will have a source of funding for maintenance of the new facility. Institutions seeking approval of a loan or a bond issue for the construction or purchase of a new facility must provide for the maintenance of that facility by transferring annually to plant funds an amount as recommended by the Association of Physical Plant Administrators of Universities and Colleges (APPA). This is currently \$2.50 per gross square foot for an educational and general facility or \$1.25 per gross square foot for an auxiliary facility. A lower rate per gross square foot for a specific building/facility can be approved with appropriate justification.

It is the expectation that the institution will provide for the long term maintenance of the facility for which the funds were accrued. Funds may be utilized for facility renovation and upkeep including upgrade or replacement of equipment and furnishings of the designated building. These funds will be transferred to the plant fund annually and shall begin in the fiscal year following the completion and occupancy of the facility and will continue as long as the building is in use. The funds can also be used for critical and deferred maintenance of the institution.

These transfers shall be reported as mandatory transfers on 17-2 form and all other applicable forms. A Supplemental 17-2 form will be created to list specifically each transfer associated with the designated buildings. Buildings approved from October 2008 prior to October 2010 will report funds transferred based upon their plan identified in their bond or loan feasibility request. Buildings approved October 2010 forward will report based upon the AHECB policy adopted October 29, 2010.

The first report will be presented at the October 2011 AHECB meeting.

RESOLVED, That the Arkansas Higher Education Coordinating Board revises the Economic Feasibility of Bond Issues policies as outlined above, effective October 29, 2010.

Citation: [6-61-202](#)

**ARKANSAS HIGHER EDUCATION COORDINATING BOARD
REGULATIONS REGARDING ISSUANCE OF BONDS BY
INSTITUTIONS OF HIGHER EDUCATION**

I. Compliance with State Law

The structure and sales of bonds issued by state institutions of higher education shall be in conformance with all relevant provisions of state and federal law, and may contain such terms as specified by the local board in its authorizing resolution which are in compliance with state and federal law and Coordinating Board policy. Should any provision of State Board policy be found to be in conflict with state or federal law, the provisions of the law will supersede Coordinating Board policy, but other provisions contained herein shall not be affected.

II. Interest Rates

The maximum rate of interest shall be set by Arkansas law for four-year institutions and their branches, and for community and technical colleges (i.e., 5 percent per annum above the Federal Reserve Discount Rate on ninety-day commercial paper in effect in the Federal Reserve Bank in the Federal Reserve District in which Arkansas is located); the maximum interest rate established by law for the University of Arkansas law schools at Fayetteville and Little Rock is 10 percent.

III. Professional Support

In consideration of the complexities of issuing bonds, institutions of higher education are encouraged to obtain the professional advice necessary to insure that the issuance of bonds is based on the most favorable terms for the institution and in compliance with applicable state and federal laws and Coordinating Board policy.

IV. Bonds Generally

A. The bonds shall be authorized by resolution of the institutional board of trustees, and the bonds shall be secured solely by the revenues pledged thereto, and shall not be considered a debt of the State of Arkansas.

B. The maximum term of obligation of a series of bonds may not exceed thirty (30) years.

V. Bond Sales

A. Bonds may be sold either on sealed or negotiated bid, whichever is considered likely to yield the most favorable terms for the institution.

- B. Notification of bonds to be sold at public sale shall be given wide distribution, including advertisement in an Arkansas newspaper that has a general statewide circulation, plus advertisements in any other publication necessary to reach the appropriate market. Notice of the sale must be published at least once a week for three consecutive weeks, with the first publication at least twenty (20) days prior to the date of sale. In addition, it is recommended that a copy of the Preliminary Official Statement (POS) be sent to the The Bond Buyer (or its successor). Paid advertisement in The Bond Buyer is not required.
- C. If the bonds are sold at public sale, the sale of the bonds shall be awarded to the bidder whose bid results in the lowest net interest cost, taking into account any premium or discount contained in such bid.

VI. Review by the Arkansas Higher Education Coordinating Board

- A. Prior to the official marketing process, the Arkansas Higher Education Coordinating Board shall review the economic feasibility of the project(s) to be financed, in whole or in part, by the issuance of bonds by public institutions of higher education, and report to the institutions its advice within thirty days of the board meeting at which the feasibility is reviewed.
- B. Requests for Coordinating Board review must be accompanied by a copy of the local board's resolution authorizing the bond issue and the projects to be funded; a description of the project(s), including the current (for renovation projects) and projected use of buildings, land acquisition, etc.; and a summary description of debt specifying the following:
1. The total amount, term of obligation, and estimated maximum interest rate of the bond issue
 2. The estimated annual debt service for the new issues
 3. The source of revenue for debt service and the estimated annual revenue from that source
 4. Existing annual debt service by revenue source
 5. A plan for maintaining the new facility such as:
 - Establishment of an endowment fund for building maintenance
 - A portion of the annual operating budget to be set aside
 - Other methods
 6. Any other information deemed necessary for complete and informed review by the Coordinating Board.

C. When considering its advice on the economic feasibility of projects, the Coordinating Board shall consider the following guidelines in determining prudent debt service limits:

1. Educational and general projects may be financed by obligating a maximum of 25 percent of net student tuition and fee revenue (gross tuition and fees less unrestricted educational and general scholarship expenditures) for total debt service, or institutions may obligate dedicated building use fees so long as annual building use fee revenue is no less than 120 percent of annual debt service; in addition, higher education institutions may obligate local tax or special millage so long as the annual tax proceeds equal no less than 120 percent of the total annual debt service.
2. Auxiliary projects may be financed by auxiliary revenues, dedicated building use fees, or local tax or millage so long as annual revenue from these sources is no less than 120 percent of total annual debt service.

General revenue may not be pledged in support of debt for any project.

Approved: Agenda Item No. 19
January 14, 1972

Approved: Agenda Item No. 7
July 23, 1993

Amended: Agenda Item No. 4
April 25, 2003

ADHE Executive Staff recommend that the Arkansas Higher Education Coordinating Board approve the following resolution:

On April 25, 2003, the Higher Education Coordinating Board approved the following resolution (Agenda Item No. 4): aforementioned policies as outlined above, effective April 25, 2003.

**WORKFORCE 2000
CAPITAL FUNDING DISTRIBUTIONS
ACT 1245 OF 1991**

Act 1246 establishes two capital appropriations for the 1991-93 biennium as a part of the vocational-technical restructuring effort. Monies to support the appropriations come from the early collection of the 1/2 cent sales tax increase enacted in April 1991.

WORKFORCE 2000 ACCREDITATION CAPITAL FUND

The first appropriation is for \$3.5 million to be made available to technical colleges to enhance their qualifications for accreditation. Act 1246 requires the State Board of Higher Education to establish guidelines to insure that funds are used to correct accreditation deficiencies. In July, the State Board approved an initial release from this appropriation of \$10,000 for each institution for the purchase of specified computer hardware, program enhancements, and instructional equipment.

Department staff are currently evaluating future releases of these capital monies. Plans are to bring in consultants experienced in performing North Central Association accreditation reviews to conduct on-site assessments of each technical college. These third party assessments will provide information to be used by staff as part of their on-going analysis and identification of "accreditation deficiencies," including equipment and capital construction needs. In addition, staff has requested that the technical colleges identify equipment and construction needs in order of institutional priority. A maximum of \$250,000 is set aside for each Technical College for this purpose.

The Department staff visited each technical college earlier this year. Two areas of immediate concern emerged: the lack of library support for existing vocational programs, as well as for new academic offerings; and the absence of science labs. Staff has requested that institutions identify library support needs for contracted academic courses and recommends that a fund release be targeted to library support of those courses plus possible automation of institutional libraries. Preliminary estimates suggest that each Technical College will need \$7,000 to \$10,000 to purchase adequate volumes to support contract courses. Department staff are also evaluating hardware and software which would permit institutions to access other institutional library catalogues to promote interlibrary loans. (According to state regulations, software purchases are considered to be operating expenditures and, therefore, would not qualify for funding from this capital appropriation).

WORKFORCE 2000 MATCHING CONSTRUCTION FUND

The second capital appropriation in Act 1246 provides \$5.5 million to be distributed on a one-to-one matching basis. Both technical colleges and community colleges are eligible to apply for these funds. The following criteria must be met for eligibility:

- (1) Act 1246 provides a total of \$5.5 million; each institution is limited to a maximum of \$250,000. If an institution is unable to meet the matching requirements for any part of its allocation, the balance will be distributed among other campuses based on demonstrated need and ability to match. However, institutions will be provided with adequate opportunity to meet the requirements stipulated in the act.
- (2) Act 1246 identifies eligible capital projects as those which will improve the educational environment; i.e., educational and general (academic) facility construction or renovation.
- (3) Act 1246 mandates that each institution must certify that an amount equal to its allocation has been raised for the same purpose.
- (4) The match monies may be local funds (millage or local tax) or private contributions, as specified by the Act. Based upon national accounting standards and state law, "local funds" include millage, but do not include tuition and fee income which must be dedicated to operating expenditures.

The application period for these funds will begin in October 1991 and extend through the biennium. However, ADHE staff will prepare recommendations for an initial distribution for presentation to the State Board in their January, 1992 meeting. Institutions desiring to be included in this first recommendation should submit their requests to the Department no later than December 11, 1991. Act 1246 mandates that each institution must have adequate opportunity to meet the requirements as stipulated above; therefore, additional applications and recommendations will be submitted to the State Board in subsequent meetings.

The application document will be the same as used by the institutions to make their capital construction requests for the 1993-95 biennium, with the addition of the above qualification criteria.

RESOLVED, That the State Board of Higher Education authorizes the release of capital funds from the Workforce 2000 Accreditation Capital Fund to each technical college, in an amount to be determined by department staff, for the purchase of library holdings to support academic contract courses and any computer hardware for library automation.

FURTHER RESOLVED, That the State Board of Higher Education instructs the Director to proceed with evaluations of accreditation deficiencies for each technical college to be presented for Board approval at a subsequent meeting.

FURTHER RESOLVED, That the State Board of Higher Education authorizes the Director to issue application instructions to all technical and community colleges for the Workforce 2000 Matching Construction Fund in accordance with the general provisions stated above.

FURTHER RESOLVED, That the first application period for submittal of applications for the Workforce 2000 Matching Construction Fund will extend until December 11, 1991, with initial recommendations for funding to be presented for Board approval at the January 1992 meeting; and, in order to provide institutions with adequate opportunity to meet stipulated requirements, further recommendations will be presented for Board approval in subsequent meetings.

Approved: Agenda Item No. 6
October 4, 1991

Citation: [6-50-504](#)

**OPERATING DISTRIBUTIONS OF
WORKFORCE 2000 DEVELOPMENT FUND**

On July 19, 1991, the State Board of Higher Education made initial operating distributions to the technical colleges from the Workforce 2000 Development Fund to include a 6 percent increase (\$818,025) from the 1990-91 general revenue operating base for each technical college and to finance the academic contract courses (approximately \$800,000 - \$1,000,000).

Since that time ADHE staff has developed a computerized registration system, which will enable the technical colleges to report student enrollment for the fall semester in October. When those enrollments are received and verified, ADHE staff will determine institutional enrollment on a full-time equivalent student basis. There is a remaining balance in the Workforce 2000 Development Fund of \$1,056,384 for the express purpose of supplemental assistance in meeting personal services and operating expense requirements of the technical colleges. Department staff proposes, after receipt of the institutional enrollment data, that an allocation from the Workforce 2000 supplemental assistance balance be made for each technical college based on each institution's FTE student enrollment.

In addition, there are two associate degree RN programs (ADN) in the development stage: one at Ozarka Technical College and one at Cossatot Technical College. While these institutions cannot offer stand-alone ADN programs at the present time, there does not appear to be student demand in these areas sufficient to justify development of satellite programs, with the ADN being offered by another institution. Both programs at Ozarka and Cossatot have been given preliminary approval by the State Board of Nursing, directors have since been hired, and curricula are currently being developed.

Since those initial approvals were made by the State Board of Nursing, the vocational-technical restructuring legislation passed and has impacted program approval authority. The technical colleges, by Act 1244, may not seek an associate degree program for two years. Department staff are currently developing a state-wide nursing education strategy to include regional cooperatives, satellite programs, shared clinical faculty, some degree of standardized curriculum, articulation and transfer issues, faculty shortages and distance learning.

To support continued planning efforts at Ozarka Technical College and Cossatot Technical College, staff proposes the following distributions be made from the Workforce 2000 Development Fund monies specified for supplemental assistance for personal services and operating expenses:

- (1) That \$25,000 be distributed to Ozarka Technical College for the nursing director salary to continue curriculum development; and
- (2) That \$60,000 be distributed to Cossatot Technical College to be transferred to Southern Arkansas University Magnolia to offer the RN program. Southern Arkansas University Magnolia has agreed to employ the director previously hired at Cossatot

and to begin planning a nursing class. (At its meeting on July 19, 1991, the State Board approved the Associate of Science Degree in Nursing at SAUM on the Cossatot Technical College campus contingent on funding).

The following resolution was approved by the State Board on October 4, 1991 (Item No. 25):

RESOLVED, That the State Board of Higher Education authorizes the Director of the Arkansas Department of Higher Education to distribute additional operating funds from the Workforce 2000 Development Fund to the technical colleges in amounts to be determined by department staff based on fall student enrollment.

FURTHER RESOLVED, That the State Board of Higher Education authorizes the Director of the Arkansas Department of Higher Education to distribute from the Workforce 2000 Development Fund \$25,000 to Ozarka Technical College and \$60,000 to Cossatot Technical College for nursing education programs.

FURTHER RESOLVED, That the State Board authorizes the Director of the Arkansas Department of Higher Education to develop a statewide strategy for nursing education.

Approved: Agenda Item No. 25
October 4, 1991

**WORKFORCE 2000
CAPITAL FUNDS RECOMMENDATIONS
ACT 1246 OF 1991**

In Act 1246, of 1991, two capital appropriation funds were established for the 1991-93 biennium for the purpose of improving the educational environment for both community colleges and technical colleges. The first appropriation was for a Workforce 2000 (WF 2000) Accreditation Capital Fund with \$3.5 million to be made available to technical colleges on a non-matching basis to enhance their qualifications for accreditation. In the second capital appropriation, \$5.5 million was appropriated to be distributed on a one-to-one matching basis for all eligible capital projects out of the WF 2000 Matching Construction Fund.

WORKFORCE 2000 ACCREDITATION CAPITAL FUND

The first appropriation was for \$3.5 million to be made available to technical colleges for enhancement of qualifications for accreditation. An initial release of funds in the amount of \$10,000 per institution was approved by the State Board in July 1991 for the purchase of specified computer hardware, program enhancements, and instructional equipment.

The Department staff has requested that the technical colleges identify equipment and construction needs in order of institutional priority. A maximum of \$250,000 was set aside for each technical college, and since \$10,000 has already been released for each institution, technical colleges can continue to request up to \$240,000 for these purposes.

Four non-matching capital requests have been evaluated for the second distribution of Workforce 2000 Accreditation Capital Funds. A total of \$765,000 of WF 2000 Accreditation Capital Fund monies is recommended for this distribution. Of that total, Ozarka Technical College requests \$210,000, Petit Jean Technical College requests \$240,000, Pines Technical College requests \$240,000, and Twin Lakes Technical College requests \$75,000.

Table 1 summarizes ADHE staff recommendations for each institution with brief descriptions of each capital accreditation project.

**TABLE 1 - SUMMARY OF WORKFORCE 2000
ACCREDITATION CAPITAL FUND RECOMMENDATIONS**

OZARKA TECHNICAL COLLEGE

Ozarka Technical College (OZTC) requests \$210,000 in WF 2000 funds for a new addition to their Business Education Building. This construction will add 1,540 square feet of classroom and laboratory space to the existing building. The project includes the construction of a Biology/Microbiology laboratory, equipment purchases for an existing science lab, and classroom space for collegiate-level courses. The construction and equipment purchases will provide critical space for Arkansas State University courses offered on the OZTC campus.

PROJECT TITLE: Business Education
Addition-Science Lab

TOTAL COST OF PROJECT: \$210,000

PETIT JEAN TECHNICAL COLLEGE

Petit Jean Technical College (PJTC) has requested \$240,000 in WF 2000 funding for renovations to provide a Library/Lecture Hall and a Nursing Facility. The current Automotive Technology laboratory and classroom will be remodeled into a 3,600 square foot library and a 1,900 square foot lecture hall. The new library will provide adequate study areas for students, will house up to 27,000 library volumes, and will provide office space and additional storage areas. The lecture hall will be a multi-use facility for lectures, assemblies, and student organizations and will increase current maximum seating at PJTC from 30 students to 165 students. The renovation of a 2,900 square foot shop area into a Nursing Facility will provide a nursing laboratory, two classrooms, office space, and additional storage area. Petit Jean Technical College will finance the balance of the total cost of these projects with private contributions from the local community.

PROJECT TITLE: Library/Lecture Hall

TOTAL COST OF PROJECT: \$237,935

PROJECT TITLE: Nursing Facilities

TOTAL COST OF PROJECT: \$105,290

PINES TECHNICAL COLLEGE

Pines Technical College (PITC) requests WF 2000 funding of \$240,000 for the new construction of a Learning Resource Center/Library to replace the facility which was destroyed by fire in January 1992. The estimated replacement cost of the Administration Building, which includes the Learning Resource Center/Library, is \$900,000. The total cost of the building

would be met with WF 2000 funds and insurance reimbursement proceeds. PITS plans include rebuilding the Administration facility and dedicating 2,100 square feet for the Learning Resource Center/Library. This funding will move Pines Technical College towards meeting the minimum learning Resource Center/Library standards for North Central Accreditation.

PROJECT TITLE: Learning Resource Center/Library

TOTAL COST OF PROJECT: \$900,000

TWIN LAKES TECHNICAL COLLEGE

Twin Lakes Technical College (TLTC) has requested \$75,000 in non-matching WF 2000 Accreditation Capital funds for the acquisition of instructional equipment in the electronics and machine shop programs. The electronics equipment is basic needs equipment that will be used by all students every semester during the two-year electronics program. The purchase of new equipment will allow TLTC to bring basic equipment up to standard, "state-of-the-art" levels. Funding for machine shop equipment will allow TLTC to provide minimum basic equipment needs for the machine shop certificate program. Funding of these projects will enhance the potential for successful North Central Accreditation. Due to a possible merger with North Arkansas Community College (NACC), these plans will be reviewed and approved by the President of NACC before any funds will be distributed.

PROJECT TITLE: Basic Equipment Upgrade/Replacement

TOTAL COST OF PROJECTS: \$75,000

WORKFORCE 2000 MATCHING CONSTRUCTION FUND RECOMMENDATIONS

In the initial distribution of Workforce 2000 funds at the January 1992 State Board of Higher Education Meeting, a total of \$1.5 million in matching funds was recommended by the SBHE for six institutions. Three capital project requests have been evaluated for the second distribution of Workforce 2000 (WF 2000) Matching Construction Fund monies. Each institutional request has been evaluated on the following criteria and the matching funds have been certified by each institution's board of trustees as having met the following requirements for eligible matching funds:

- (1) Act 1246 of 1991 identifies eligible capital projects as those which will improve the educational environment; i.e., educational and general (academic) facility construction or renovation.
- (2) Act 1246 mandates that each institution must certify that an amount equal to its allocation has been raised for the same purpose.

- (3) The match monies must have been from local funds (millage or local tax) or private contributions, as specified by the Act. Based upon national accounting standards and state law, "local funds" include millage, but do not include tuition and fee income, which must be dedicated to operating expenditures.

A total of \$400,000 of matching construction fund monies is recommended for the second distribution of WF 2000 capital funds. Of that total, Mountain Home Technical College is requesting \$50,000, Northwest Arkansas Community College is requesting \$100,000, and White River Technical College is requesting the maximum of \$250,000 in allowable funds.

Table 2 summarizes ADHE staff recommendations for each institution with brief descriptions of each capital project and the total cost of the project.

**TABLE 2 - SUMMARY OF WORKFORCE 2000
MATCHING CONSTRUCTION FUND RECOMMENDATIONS**

MOUNTAIN HOME TECHNICAL COLLEGE

Mountain Home Technical College (MHTC) requests Workforce 2000 capital project matching funds of \$50,000 for a Technology Annex. MHTC plans to purchase and renovate a 6,300 square foot building adjacent to its campus. This building will be renovated to house classrooms with laboratories, administrative offices, and storage areas. Mountain Home Technical College has certified that matching funds will come from county sales tax revenue and private contributions.

PROJECT TITLE:	Technology Annex
TOTAL COST OF PROJECT:	\$100,000

NORTHWEST ARKANSAS COMMUNITY COLLEGE

Northwest Arkansas Community College has requested \$100,000 of the maximum \$250,000 in Workforce 2000 matching construction funds for the acquisition of 77.09 acres of land. This land purchase is planned to allow for centralization of activities such as, but not limited to, a library resources center, laboratories, classroom space, faculty and administrative offices, and additional parking areas. NWACC's five-year master plan estimates a need for 129,000 square feet of building space to meet projected student enrollment. NWACC has certified that a WF 2000 match of \$100,000 will be matched by a local one-mill tax.

PROJECT TITLE:	Land Acquisition for Central Locus
TOTAL COST OF PROJECT:	\$500,000

WHITE RIVER TECHNICAL COLLEGE

A Workforce 2000 matching fund request of \$250,000 has been received from White River Technical College for the purchase of property and a 50,000 square foot building. The initial plans involve phased construction of classrooms, laboratory facilities, and a library and learning resource center. Future plans include the addition of a lecture hall to seat 800 students for a total gross footage of approximately 80,000 square feet. The Workforce 2000 funding is to be matched by a private grant of \$250,000 from a charitable support foundation upon the July 1, 1992, merger with Arkansas State University at Beebe (ASUB). ASUB has reviewed this request and is in agreement with the plans. The balance of this project will be financed with private contributions from the local community.

PROJECT TITLE:	Library/Academic Building
TOTAL COST OF PROJECT:	\$750,000

RESOLVED, That the State Board of Higher Education approves the above outlined Workforce 2000 Accreditation Capital Fund project requests.

FURTHER RESOLVED, That the State Board of Higher Education authorizes the following distributions from the Workforce 2000 Accreditation Capital Fund; Ozarka Technical College - \$210,000, Petit Jean Technical College - \$240,000, Pines Technical College - \$240,000.

FURTHER RESOLVED, That the State Board of Higher Education authorizes distribution from Workforce 2000 Accreditation Capital Funds in the amount of \$75,000 to Twin Lakes Technical College subject to the review and approval of the Director of the Arkansas Department of Higher Education and the President of North Arkansas Community College.

FURTHER RESOLVED, That the State Board of Higher Education approves the above outlined Workforce 2000 Matching Construction Fund capital project requests.

FURTHER RESOLVED, That the State Board of Higher Education authorizes the distribution of capital funds from the Workforce 2000 Matching Construction Fund to North Arkansas Community College contingent upon receipt of matching funds from the North Central Arkansas Foundation for Higher Education, Inc., the County of Baxter Quorum Court, and the City of Mountain Home City Council for the exclusive use of the Technology Annex project for Mountain Home Technical College.

FURTHER RESOLVED, That the State Board of Higher Education authorizes the distribution of \$100,000 from the Workforce 2000 Matching Construction Fund for Northwest Arkansas Community College.

FURTHER RESOLVED, That the State Board of Higher Education authorizes the distribution of \$250,000 to White River Technical College on July 1, 1992, when it

officially becomes Arkansas State University-Beebe Branch: Newport Campus, since this is the stipulation on the matched monies.

FURTHER RESOLVED, That the Workforce 2000 Matching Construction Fund allocation per project may not represent more than 50 percent of the total cost of said project up to the allowable total of \$250,000 for all projects.

FURTHER RESOLVED, That any institution that is unable to expend distributed funds from the Workforce 2000 Accreditation Capital Fund or the Workforce 2000 Matching Construction Fund as approved must return these unexpended monies to the Workforce 2000 Funds for future distribution. Each institution may submit additional capital request applications at any time during the remainder of the 1991-92 biennium.

Approved: Agenda Item No. 37
April 10, 1992

WORKFORCE 2000 OPERATING FUNDS DISTRIBUTION

Act 1246 of 1991, Section 6, establishes two identical Workforce 2000 operating fund appropriations for technical colleges in 1991-92 and 1992-93. Section 6 (a) provides \$1,874,409 each year for supplemental assistance in meeting personal services and operating expense requirements. Section 6 (b) provides \$5,450,000 each year for assistance in removing accreditation deficiencies, including the Faculty Development Program. The Act specifies that funds are to be distributed by the Department of Finance and Administration as directed by the State Board of Higher Education.

YEAR-TO-DATE WORKFORCE 2000 OBLIGATIONS

SECTION 6(a)

1991-92: To date, \$1,874,409 has been distributed to the technical colleges for personal services/operating expenses; therefore, no balance remains in Section 6 (a) for 1991-92.

1992-93: \$1,874,409 will be transferred to technical colleges on July 1, 1992 to maintain the base from 1991-92 distributions.

SECTION 6(b)

1991-92: To date, a total of \$1,505,641 has been released to the technical colleges from Section 6(b) for removing accreditation deficiencies; including releases for salary adjustments, library acquisitions, contract course programs, and nursing programs. Therefore, a balance of \$3,944,359 remains available in Section 6(b) for 1991-92.

1992-93: \$679,140 will be transferred on July 1, 1992 to maintain salary adjustments from 1991-92; therefore, \$4,770,860 will be available for distribution in 1992-93.

ADDITIONAL RECOMMENDED RELEASES FOR 1991-92

For 1991-92, the Department staff recommends additional releases from the Workforce 2000 operating funds for the programs/projects listed below:

SECTION 6(B)

- (1) For Twin Lakes Technical College, authorization for up to \$50,000 for reimbursement of actual costs for the nursing education program in Mountain Home;
- (2) For Ozarka Technical College, up to \$50,000 for the pilot nursing program operating expenditures, with authorization to expend necessary funds contingent upon the signing of agreements between Arkansas State University at Jonesboro, the Arkansas Department of Higher Education, and Ozarka Technical College;

- (3) For White River Technical College, \$300,000 for the contract program from January 1992 through June 30, 1993;
- (4) For the Faculty Development Program, up to \$520,860 for professional development for technical college faculty members, including equipment and operating expenses, according to the procedures established in Agenda Item No. 25;
- (5) For the technical college contract program, additional authorization up to \$700,000 over funds previously authorized by the State Board (\$546,501) to cover unanticipated increases in enrollments this spring and to cover summer enrollments.

RECOMMENDED RELEASES FOR 1992-93

For 1992-93, the staff recommends the following releases:

SECTION 6(a)

- (1) Authorization to distribute \$1,874,409 to maintain the base from 1991-92 distributions;

SECTION 6(b)

- (2) For Mountain Home Technical College, authorization to transfer \$50,000 to provide for the nursing education program in Mountain Home, which will be operated in 1992-93 through North Arkansas Community College on its satellite campus at Mountain Home;
- (3) For the technical college contract program, authorization to distribute up to \$2,200,000;
- (4) Authorization to distribute up to \$520,860 for professional development for technical college faculty members, including equipment and operating expenses, according to the procedures established in Agenda Item No. 25;
- (5) For Ozarka Technical College, up to \$125,000 for operating expenditures for the pilot nursing program;
- (6) Authorization to distribute \$679,140 to maintain 1991-92 salary adjustments.

BALANCES

For 1991-92, no funds remain in Section 6(a); and the Section 6(b) allocations recommended above total \$1,620,860 leaving a Section 6(b) balance of \$2,323,499.

For the 1992-93, no funds will remain in Section 6(a) after the July 1, 1992 distribution; and the allocations recommended above from Section 6(b) total \$3,575,000 leaving a balance of \$1,875,000 for future Section 6(b) releases in 1992-93.

The following resolution was approved on April 10, 1992 (Item No. 38):

RESOLVED, That the State Board of Higher Education authorizes the Director of the Arkansas Department of Higher Education to distribute additional operating funds from the Workforce 2000 Development Fund to the institutions in the amount and for the purposes stated in items 1 through 5 above for 1991-92 and items 1 through 6 above for 1992-93.

FURTHER RESOLVED, That any Workforce 2000 releases from Section 6(b) for either 1991-92 or 1992-93 are to be used for the purpose intended as restricted funds.

FURTHER RESOLVED, That all technical colleges are to submit: (1) a report for the fiscal year ending June 30, 1992, for Workforce 2000 funding released for 1991-92; and (2) quarterly reports for the 1992-93 Workforce 2000 releases, with the exception of the Section 6(a) operating release and the Section 6(b) salary adjustment release.

Approved: Agenda Item No. 38
April 10, 1992

**WORKFORCE 2000 MEMORANDA OF UNDERSTANDING
FOR ACCREDITATION ASSISTANCE**

Act 1246 of 1991 created Workforce 2000 (WF2000) funds for the development of the technical colleges, with a portion of these funds available to overcome accreditation deficiencies. Earlier distributions for this purpose have included the general distribution to all colleges of funds for improved operations, faculty salary conversion, the offering of college level academic courses, library holdings, and the enhancement of faculty credentials.

Each technical college is now pursuing accreditation by the North Central Association, Commission on Institutions of Higher Education. Each is developing a five-year Strategic Plan for Accreditation to guide in achieving accreditation. These plans are based upon recommendations from a team of consultants who visited each campus to evaluate the particular needs of the institution. ADHE staff are assisting in development of these plans. As these plans are finalized and approved by departmental staff, areas will be identified which need funds for beginning an activity or for the improvement or upgrade of an existing function.

In order to assist the technical colleges in achieving these accreditation plans, it is important to maintain flexibility to meet the separate and particular needs and timelines of each college. This flexibility, and the ability to respond to each institution on a timely basis, can best be met by the establishment of a memorandum of understanding between the Department and the college regarding specific activities which will be approved for the expenditure of WF2000 funds in seeking accreditation.

The following resolution was approved on July 24, 1992 (Item No. 8):

RESOLVED, That the State Board of Higher Education authorizes the Director of the Arkansas Department of Higher Education to develop with each technical college a Memorandum of Understanding including specific activities and the amount for these activities to be funded from the accreditation assistance section of Workforce 2000 funds.

FURTHER RESOLVED, That the Board instructs the Director to develop such Memoranda of Understanding with each technical college following approval by the department of each college's Five-Year Strategic Plan for Accreditation.

FURTHER RESOLVED, That the Board authorizes the Director to implement these Memoranda of Understanding, including any release or WF 2000 funds, and to request a report every six months from each technical college on progress made in implementing its Strategic Plan for Accreditation.

Approved: Agenda Item No. 8
July 24, 1992

WORKFORCE 2000 MATCHING CONSTRUCTION FUND DISTRIBUTION POLICY REVISION

Following a discussion by the College Panel at the July 23, 1993, meeting of the State Board, a revision to the Workforce 2000 (WF 2000) policy is proposed to permit remaining balances in the Workforce 2000 Matching Construction Fund (established by Act 1246 of 1991) to be redistributed after July 1, 1994. The discussion was related to concern for the fate of unspent balances for the current biennium.

Current Guidelines

Technical and community colleges are eligible to apply for WF 2000 Matching Construction funds in accordance with the following guidelines approved by the State Board at its October 4, 1991, meeting:

1. Each institution is limited to \$250,000. If an institution is unable to meet the matching requirements for any part of its allocation, the balance will be redistributed among other campuses based on demonstrated need and ability to match. However, institutions will be provided with adequate opportunity to meet the requirements stipulated in Act 1246 of 1991.
2. Eligible projects are those which will improve the educational environment; i.e., educational and general (academic) facility construction or renovation.
3. Institutions must certify that an amount equal to its allocation has been raised for the same purpose.
4. The match monies may be local funds (millage or local tax) or private contributions, as specified by the Act. Based upon national accounting standards and state law, "local funds" include millage, but do not include tuition and fee income, which must be dedicated to operating expenditures.

Proposed Revision

The following revision to the above guidelines is proposed:

5. WF 2000 Matching Construction Funds unobligated or projected to be unobligated as of July 1, 1994, along with unspent balances from any completed projects, may be made available for redistribution among technical colleges and former technical colleges which are able to meet the project and matching criteria.

RESOLVED, That the State Board of Higher Education authorizes the Director to make any Workforce 2000 Matching Construction Funds remaining as of July 1, 1994, available for distribution among eligible institutions which meet the project and matching criteria.

FURTHER RESOLVED, That the State Board of Higher Education authorizes the Director to notify the President and Chair of the Board of Trustees of each technical college of this policy revision.

Approved: Agenda Item No. 16
October 22, 1993

COLLEGE SAVINGS BOND PROGRAM

The State Board of Higher Education approved the following resolution on January 24, 1991 (Agenda Item No. 13):

RESOLVED, That the State Board approves and endorses the Plan of Implementation: Projects (the Plan), and that the Director is instructed to transmit to the Governor that plan for capital projects for public institutions of higher education to be funded from the proceeds derived from the sale of College Savings Bonds as approved by the electorate of the State of Arkansas in the November 8, 1990 General Election, and as called for by Act 683 of 1989, as amended (the Act). These projects are as described in Agenda Item Number 5 of the State Board meeting August 3, 1990, and incorporated in the Plan presented to the Board, which the Director shall insert in the minutes of the Board. This resolution is adopted in recognition of the great benefits to be derived by institutions of higher education including both monetary and less tangible benefits which develop from the immediate availability of resources to construct or renovate facilities or to upgrade equipment for immediate use, thereby enabling institutions to serve additional students, strengthen academic programs by providing appropriate housing for the programs, acquire and protect program accreditations, and attract external grants and research dollars.

FURTHER RESOLVED, That the Director is instructed to seek from the Governor one or more proclamations authorizing the issuance by the Arkansas Development Finance Authority of one or more series of the College Savings Bonds to fund the capital projects described in the Plan, subject to the limitations set forth herein, in the Plan, and in the Act, without further action of the State Board.

FURTHER RESOLVED, That these projects shall be educational and general in nature, and will not include projects relating to auxiliary services or programs such as dormitories or intercollegiate athletics.

FURTHER RESOLVED, That the State Board has not and shall not authorized the issuance of bonds requiring more than \$8 million in debt service per annum as provided for in the Act.

FURTHER RESOLVED, That the Director shall and is directed to act as the duly authorized designee of the Chairman of the State Board in requisitioning the proceeds of the bond sales held in the State Treasury and certifying that the funds disbursed thereby are for the payment of project costs of a higher education project duly approved by the State Board, as reflected in the Plan.

Citation: [6-62-701-727](#)

**COLLEGE SAVINGS BOND PROGRAM
PLAN OF IMPLEMENTATION: PROJECTS**

I. INTRODUCTION

The College Savings Bond program offers the availability of approximately \$95 million to be expended on capital projects in the 1991-93 biennium. The actual amount available cannot be determined until the pricing of the bonds takes place because of the uncertainty of several factors including interest rates on the bonds. The amount available will be affected by the Legislative limitations placed on the principal amount of bond sales in a biennium, and the maximum annual debt service of \$8 million.

In the regular board meeting in August 1990, the State Board of Higher Education approved a list of capital projects which prioritized projects into four categories, with Category 1 having the highest funding priority. Total funding required for these projects is \$133,069,471. Projects designated in Categories 1 through 3 will be funded from the proceeds of the first, second, and third bond sales respectively. Projects in Category 4 are recommended by the State Board of Higher Education for funding from the General Improvement Fund, or from bond proceeds remaining after projects in Categories 1 through 3 have been funded. A table is provided in (Attachment 1) showing institutional requests and the SBHE approved projects for each category.

All projects are educational and general capital projects. No funds will be used in projects relating to auxiliary enterprises such as dormitories or intercollegiate athletic programs. A total of \$4,866,560 is included in this recommendation for projects directly related to vocational programs offered by colleges and universities, in accordance with Act 64 of 1981.

Institutions of higher education will recognize both monetary and intangible benefits from the implementation of this bond program. The monetary benefit derives from the present value of the bond proceeds relative to the value of the same dollars at some future bond maturity date, or a comparable usual scenario of receiving funding for a project from the General Improvement Fund. Immediate funding of an entire project instead of delaying project completion because of irregularly delivered fund increments yields less tangible benefits, too. These less tangible benefits develop from the immediate availability of resources to construct or renovate facilities or to upgrade equipment for immediate use by providing the ability to serve additional students, strengthening academic programs by providing appropriate housing for the programs, acquiring and protecting program accreditations attracting external grants and research dollars, and enhancing the public perception of successful institutions or higher education.

The funding required for all SBHE approved projects in Categories 1 through 4 are made for the following classifications of projects. Descriptions of the classifications are provided below.

Instructional Equipment	\$14,852,847
Library Holdings	\$ 6,610,917
Major Maintenance	\$26,110,676
Renovation & New Construction	\$81,495,031
Community College Loan Fund	\$ 4,000,000
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TOTAL	\$133,069,471

CATEGORIES DESCRIPTIONS:

The "Instructional Equipment" category provides for the purchase or replacement of instructional, clinical, and research equipment. An amount up to \$10 million of the total instructional equipment recommendation is to be funded from the proceeds of the first sale of bonds. The SBHE recommends that the balance of \$4,852,847 in Category 4 be funded from the General Improvement Fund, or from bond proceeds remaining after projects in Categories 1 through 3 have been funded.

The "Library Holdings" category provides for expansion of library holdings of books and periodicals. An amount up to \$2 million is to be funded from the proceeds of the first release of bonds. The SBHE recommends that the balance of \$4,610,917 in Category 4 be funded from the General Improvement Fund, or from bond proceeds remaining after projects in Categories 1 through 3 have been funded.

The "Major Maintenance" category provides for building improvements which enhance or preserve the value of existing educational and general buildings. An amount up to \$10 million will be funded from the proceeds of the first release of bonds. The SBHE recommends that the balance of \$16,110,676 included the Category 4 be funded from the General Improvement Fund, or from bond proceeds remaining after projects in Categories 1 through 3 have been funded. These allocations for major maintenance projects may be made based on a prorata share of the total recommendation for major maintenance or by a directed amount to a specific institution for the planning, engineering evaluations, and land acquisition necessary for a major campus upgrade. Descriptions of SBHE approved major maintenance projects can be found in the accompanying document, Recommendations for Major Maintenance for the 1991-93 Biennium, December 1990. This document is the joint product of State Building Services and the Arkansas Department of Higher Education. (Major Maintenance category amended July 22, 1994, by adding fourth sentence: "These allocations.....upgrade.")

The "Renovation and Construction" category includes projects to build, expand, or modernize educational and general space on the campuses of four year institutions and their branches. Renovation includes projects such as removing and replacing building interiors, or the complete renovation of exterior walls. New construction projects will be for the construction of entire new educational and general buildings, or the construction of additional educational and general space attached to existing buildings. An amount up to \$66,802,000 for renovation and construction projects will be funded from the proceeds of the second and third release of bonds. The SBHE recommends that the balance of \$14,693,031 be funded through the General

Improvement Fund, or from bond proceeds remaining after projects in Categories 1 through 3 have been funded. A brief description of each "Renovation and Construction" project approved by the State Board of Higher Education may be found in Section II below.

The "Community College/Technical College Loan Fund" provides for low interest loans to community colleges for completion of educational and general capital projects on their campuses. An amount up to \$2 million will be funded from the proceeds of the second release of bonds for sale; an additional amount of up to \$2 million will be funded from the proceeds of the third sale of bonds. The total amount dedicated to the Community College/Technical College Loan Fund will not exceed \$4 million.

("Community College Loan Fund" was amended by Agenda Item No. 3, May 16, 1993, to read "Community College/Technical College Loan Fund.")

II. DESCRIPTIONS OF RECOMMENDED CAPITAL RENOVATION AND CONSTRUCTION PROJECTS

The following descriptions of renovation and construction projects approved by the State Board of Higher Education include estimates of construction costs. Funding amounts represent the maximum amounts to be provided from the proceeds of the College Savings Bond program. Should the construction of a facility cost more than is provided, the institution would be expected to complete the project with monies acquired from other sources.

ASUJ

Library Addition: An amount up to \$9 million is provided to expand the ASUJ library by 105,000 square feet. The expansion will house an additional 400,000 volumes, house a media center, and provide space for the media education program. This project will be funded from the proceeds of the second release of bonds.

ATU

Dean Hall Renovation: An amount up to \$2 million is provided to renovate a series of 1947 Navy barracks which are used for general classroom space. A total interior renovation (the first since 1963), including HVAC, electrical systems, and new interiors, will accommodate nursing, art, and medical records administration programs. This project will be funded from the proceeds of the second release of bonds.

Drainage Ditch: An amount up to \$300,000 is provided to fund construction which will cover an open drainage ditch and install a drainage system to correct a safety hazard regularly cited by local Police and Fire Departments. Funds for this project are included in Category 4. The SBHE recommends that this project be funded from the General Improvement Fund, or from bond proceeds after projects in Categories 1 through 3 have been funded.

HSU

Library/Academic Renovation: An amount up to \$2 million is provided to fund renovation of three academic buildings: Huie Library, a new 7,854 square foot pod; Arkansas Hall, the auditorium wing; and Evans Hall, a classroom building with obsolete HVAC and plumbing systems. This project will be funded from the proceeds of the second release of bonds.

SAUM

Business/Agricultural Business Building: An amount up to \$4.3 million is provided to build a new facility to house the School of Business and the Agriculture Department (including the agricultural business program). The building will include three microcomputer labs with self-paced and remedial computer programs. This project will be funded from the proceeds of the second release of bonds.

Physical & Cultural Development Center: An amount up to \$3,830,600 is provided to construct a new facility to house the health and wellness programs, physical education classrooms, and specialized classrooms such as an exercise science laboratory. The building will also house an auxiliary gymnasium. The recommended funding is for the educational and general portion of the building; an additional \$2 million will be generated by student fees assessed by the institution to fund the auxiliary portion of the building. Funds for this project are included in Category 4. The SBHE recommends that this project be funded from the General Improvement Fund, or from bond proceeds after projects in Categories 1 through 3 have been funded.

UAF

Chemistry/Biochemistry Research Facility: An amount up to \$7.5 million is provided to build a 40,000 square foot building to provide new chemistry facilities. Essential utility services such as fume exhaust, plumbing, electrical, lighting, temperature control, and ventilation will be addressed in the new structure. The total project cost is estimated to be approximately \$8.5 million. The university will provide the balance of \$1 million from other funds. This project will be funded from the proceeds of the second sale of bonds.

Library Addition: An amount up to \$6 million is provided for the construction of an addition to Mullins Library. Mullins was constructed in 1968 for a projected enrollment of 12,000 students and for a collection capacity of 875,000 volumes. The University's headcount enrollment is now over 14,000, and the collection size had reached 1.2 million volumes by June 1989. According to ACRL standards, Mullins' existing space is inadequate by 91,000 net assignable square feet. Four of the campus's five branch libraries are full and have been transferring portions of their collections to Mullins. This project will be funded from the proceeds of the third release of bonds.

UA-AES

Alternative Pest Control Greenhouses: An amount up to \$1.3 million is provided for the construction of three greenhouses totaling 13,000 square feet to replace research greenhouses which were demolished in 1986. The total project cost is estimated to be approximately \$3.2

million. The University will receive matching Federal funds. This project will be funded from the proceeds of the second release of bonds.

Poultry Center for Excellence: An amount up to \$5 million is provided to match \$20 million in Federal funds and \$10 million from private gifts to provide funding of a total project cost of \$40 million. The new facility of 150,000 square feet will house research programs to conduct research relating to industry problems and provide facilities for faculty and students. Cooperative Extension Services personnel will also be housed here. This project will be funded from the proceeds of the second release of bonds.

UA-CES

Educational Complex: An amount up to \$3 million is provided to build a complex consisting of an Office and Conference Building to house CES faculty and a Print Shop. Previously occupied office space has been converted to the UALR Law School: CES currently occupies rented space. The rental contract specifies \$385,000 annual rent for the next two years, and \$396,000 for the next two years of the lease. The current print shop space is rented for an additional \$55,680 annually. This project will be funded from the proceeds of the third release of bonds.

UALR

Science Complex Renovation: An amount up to \$7 million is provided for a project which, when completed, will include renovation of the Natural Sciences Building, the Chemistry Laboratory Building, the Earth Sciences Lecture Hall Building, and the Old Engineering Technology Building, a total of 190,564 square feet. The \$7 million provided will complete Phase I of the renovation. This project will be funded from the proceeds of the second release of bonds.

UAM

Central Utilities Replacement and Energy Conservation: A total amount up to \$2.5 million is provided for renovation of UAM's underground utilities distribution system. The project will entirely replace the existing system which is 40 years old and serves 13 buildings. The new system will enhance the campus's energy efficiency. Up to \$1.5 million will be provided for this project from the proceeds of the second release of bonds. The SBHE recommends that the balance of \$1 million, included in Category 4, be funded through the General Improvement Fund or from bond proceeds after projects in Categories 1 through 3 have been funded.

Academic Space Renovation: An amount up to \$800,000 is provided to complete renovations for the Library, Harris Hall, and the Student Union. The renovations will increase usable classroom space, update building systems, and provide handicapped accessibility. Funds for this project are included in Category 4. The SBHE recommends that the project be funded from the General Improvement Fund, or from bond proceeds after projects in Categories 1 through 3 have been funded.

Forestry/Basic Sciences Laboratory Center Development: An amount up to \$200,000 is provided to furnish laboratories in the newly completed Forestry Research Wing. Funds for this project are included in Category 4. The SBHE recommends that the project be funded from the General Improvement Fund, or from bond proceeds after projects in Categories 1 through 3 have been funded.

UAMS

Department of Anatomy Addition: An amount up to \$4.0 million is provided to construct a two-story facility of 29,140 square feet which will be attached to the current Education II Building. The new facility will house the gross anatomy lab, support facilities, the morgue, and offices and research labs for the Department of Anatomy. The additional space will accommodate the increased number of students in the College of Medicine. This project will be funded from the proceeds of the second release of bonds.

Fire & Life Safety/Emergency Room Renovation: An amount up to \$1 million is provided to fund renovation of the Emergency Room area to meet code requirements and to modernize and reconfigure the emergency treatment areas in order to meet increased patient load. Funds for this project are included in Category 4. The SBHE recommends that the project be funded from the General Improvement Fund, or from bond proceeds after projects in Categories 1 through 3 have been funded.

UAPB

Business School Building: An amount up to \$4.3 million is provided to construct a 40,000 square foot, free standing building to house the School of Business and Management. Construction of this facility will free space in the building currently shared by the Business School and the English Department and provide room for expansion of English labs. This project will be funded from the proceeds of the second sale of bonds.

UCA

Academic Complex: An amount up to \$7 million is provided to construct a freestanding building of 145,000 square feet to provide additional general class-room, office, and specialized instructional space. The new building will house Art, Speech, Theater and Journalism, History, Geography, and Political Science. Music and Business will be able to expand in existing buildings currently shared with these other departments. This project will be funded from the proceeds of the second release of bonds.

ASUB

Business Technology Building: An amount up to \$1,180,000 is provided to construct a 16,900 square foot facility to house computer operations, accounting, business management, and management information systems for the Arkansas State Technical Institute. Completion of the project will allow administrative staff, faculty, and classrooms that are currently housed in

mobile classrooms to have permanent facilities. This Vocational-Technical project will be funded from the proceeds of the second release of bonds.

Abington Library Expansion: An amount up to \$430,000 is provided to expand the floor space in Abington Library by 17,904 square feet to provide additional shelving and study space for a growing student body and library collection. Funds for this project are included in Category 4. The SBHE recommends that the project be funded from the General Improvement Fund, or from bond proceeds after projects in Categories 1 through 3 have been funded.

Allied Health Building: An amount up to \$1,750,000 is provided for construction of a new facility to house sophisticated education and training in nursing, medical laboratory technology, x-ray technology, surgical assisting, and dental hygiene for the Arkansas State Technical Institute. These programs are currently housed in trailers which will be demolished at project completion. If the project is not funded, rental space will be required. Funds for this Vocational-Technical project are included in Category 4. The SBHE recommends that the project be funded from the General Improvement Fund, or from bond proceeds after projects in Categories 1 through 3 have been funded.

Physical Plant Building: An amount up to \$750,000 is provided to construct a new 15,000 square foot physical plant building to provide adequate space for plant operations. Funds for this project are included in Category 4. The SBHE recommends that the project be funded from the General Improvement Fund, or from bond proceeds after projects in Categories 1 through 3 have been funded.

SAUE

Campus, Phase II: An amount up to \$2,767,871 is provided for completion of a new two-story classroom building by adding a third floor and a teaching auditorium. The project also includes addition of an elevator to the Administration Building to meet safety and handicapped accessibility codes. An amount up to \$1 million is to be funded from the proceeds of the third sale of bonds. The balance of \$1,767,871 is included in Category 4. The SBHE recommends that this balance be funded through the General Improvement Fund, or from bond proceeds after projects in Categories 1 through 3 have been funded.

SAUT

Library Expansion/Administration Building Renovation: An amount up to \$1,450,000 is provided for an expansion of 27,000 square feet to the library, including study rooms with fifty reader stations, open stack area of 13,000 square feet, and space for future library acquisitions, cataloging, and shipping/receiving functions. The project also includes building access from the Administration Building, providing additional electrical service, heat and air conditioning, and plumbing systems. An amount up to \$450,000 will be funded from the proceeds of the third sale of bonds. The balance of \$1 million is included in Category 4. The SBHE recommends funding of this balance from the General Improvement Fund, or from bond proceeds after projects in Categories 1 through 3 have been funded.

Tech Engineering Building: An amount up to \$1,214,560 is provided to fund the completion of construction of a 68,635 square foot facility to house the Architectural and Building Construction program, the Avionics program, the Electronics program, and the Electromechanical, Mechanical Design, and Solar Programs. Funds for this Vocational-Technical project are included in Category 4. The SBHE recommends that this project be funded from the General Improvement Fund, or from bond proceeds after projects in Categories 1 through 3 have been funded.

ECA

Physical Lab Addition: An amount up to \$19,100 is provided to construct additional lab space for soils morphology, cross connection and backflow prevention, asbestos abatement, water and wastewater hydraulics and pump maintenance. This Vocational-Technical project will be funded from the proceeds of the third sale of bonds.

Mobile Lab Hookup Site: An amount up to \$2,900 is provided to build a mobile unit hookup pad to provide utility service to maintain delicate equipment in the mobile lab during those times when the lab is not in service. This Vocational-Technical project will be funded from the proceeds of the third sale of bonds.

FTA

Satellite Training Facilities: An amount up to \$250,000 is provided to construct two additional regional training facilities to meet the training needs of rural and municipal fire departments. The training centers will house basic firefighting courses, professional qualification programs and testing, specialized training courses, and weekend seminar courses. This Vocational-Technical project will be funded from the proceeds of the third sale of bonds.

Aerial Fire Truck: An amount up to \$200,000 is provided to fund the replacement of a twenty year old fire truck used in fire training. This Vocational-Technical project will be funded in two parts: an amount up to \$100,000 will be funded from the proceeds of the third sale of bonds; the SBHE recommends that the balance of \$100,000, included in Category 4, be funded from the General Improvement Fund, or from bond proceeds after projects in Categories 1 through 3 have been funded.

Training Fires Station: An amount up to \$250,000 is provided to build a 3,900 square foot facility on the Camden site to train and house "rookie" firemen. Currently, trainees are housed in local motels at state expense. Funding for this Vocational-Technical project is included in Category 4, and the SBHE recommends funding this project from the General Improvement Fund or from the proceeds of bond sales after projects in Categories 1 through 3 have been funded.

Approved: Agenda Item No. 13
January 24, 1991

**COLLEGE SAVINGS BOND PROGRAM:
COMMUNITY/TECHNICAL COLLEGE REVOLVING LOAN FUND**
APPLICATION CRITERIA**

Act 683 of 1989, as amended, established the College Savings Bond (CSB) Program, which included the establishment of a loan fund for community colleges to be funded from the proceeds. Act 171 of 1993 made the technical colleges also eligible to participate in this loan fund; the State Board, in its special meeting May 16, 1993, amended its original Plan of Implementation of the College Savings Bond Program to include technical colleges in the loan program.

The loan fund will be revolving in nature, and provide low interest lines of credit to community and technical colleges for capitalizable educational and general projects. Each loan will be approved by the State Board for a specific project, term of obligation, and rate of interest. For initial loans made from the CSB funds, the SBHE and institutions will be subject to the requirements in the "College Savings Bond Community/Technical College Revolving Loan Fund Application Criteria" defined in this agenda item as well as the existing requirements applied to other CSB projects.

Debt service payments will be made to a Revolving Loan Repayment Fund that will be maintained separately from the CSB fund. It is proposed that the Arkansas Development Finance Authority (ADFA), subject to terms agreed upon by the Department and ADFA, be authorized to receive debt service payments and administer the Revolving Loan Repayment Fund. This would require the execution of an Interagency Agreement which would include a provision related to loan closing and service fees to be charged to the borrower; these fees would be minimal and would support ADFA's costs for providing this service.

It is proposed that institutions be provided loan application forms for requesting Revolving Loan Funds (application form is included in this agenda item), and that closing contracts (prototypes included in this agenda item) be executed between the Department and the borrowing institution after this board's approval of each loan.

The loan application form is an abbreviated document in that it does not require institutions to provide detailed financial information and history. Many items of information, such as detailed financial statements, enrollment history, historic expenditures, etc., that a commercial lender might request, are contained in Department files in periodic reports submitted by the institutions. The Department will rely on information on hand to supplement the information provided in the application form.

In some instances, two sets of closing documents are provided; one set is to be used in closing an initial loan (that is, one funded directly from the College Savings Bond loan fund) and another for subsequent loans (those provided from the Revolving Loan Repayment Fund). The differences are primarily in Sections 1 and 2 of the Certificate of Indebtedness where the source of loan funds is described.

RESOLVED, That the State Board approves the Community/
Technical College Revolving Loan Fund Application criteria described in this agenda
item and the form and content of prototypal closing documents and contracts.

FURTHER RESOLVED, That the State Board authorizes the Director to complete the
necessary documents to authorize the Arkansas Development Finance Authority to
administer the Revolving Loan Repayment Fund.

FURTHER RESOLVED, That the State Board agrees to the principle of the
assessment by the Arkansas Development Finance Authority, to be paid by borrowing
institutions, of minimal closing and service fees as agreed upon by the Director and the
Arkansas Development Finance Authority in an Interagency Agreement.

**Name changed by action of the Board, Agenda Item No. 4, October 20, 1995, when the Loan
Fund was revised to extend loan eligibility to any public institution of higher education. On the
pages hereafter, "Community/Technical College Revolving Loan Fund" should be read as
"College Savings Bond Loan Fund."

**COLLEGE SAVINGS BOND
COMMUNITY/TECHNICAL COLLEGE REVOLVING LOAN FUND
APPLICATION CRITERIA**

1. Low interest loans are offered to community and technical colleges for the purpose of funding educational and general capital projects, including administrative, classroom, and laboratory equipment; major maintenance; and construction or renovation. Funds for initial loans will be provided from the proceeds of the sale of College Savings Bonds, Series 1993, as authorized by Act 683 of 1989, as amended. These loans will be repaid by the borrowing institutions into a Revolving Loan Repayment Fund that will provide funds for subsequent loans to state supported community and technical colleges. **Loans from either source will not be made to support auxiliary functions, nor will they be made to refinance previously completed projects. Loan funds may not be used to reimburse the institution for expenditures predating loan approval.**
2. Loans must be approved by the State Board of Higher Education (SBHE) for specified projects.
3. To assure the tax free status of the investors' earnings, the requirements established April 8, 1991, in the Instructions issued with the Requisition form for the College Savings Bond program, will apply to projects financed through the loan fund.
4. Institutions will issue vouchers for payment directly to vendors for the approved project; institutions may **not** issue vouchers to themselves in anticipation of project expenses or as reimbursement for previously completed projects. If institutions are completing the approved project using in-house labor, loan funds may be used only to pay the materials vendor.
5. The projects undertaken with initial loans from the College Savings Bond fund must be completed within three years of June 29, 1993.
6. The interest rate for each loan will be established at the time of the State Board's approval of the loan, and will be fixed at the yield rate of the one-year U.S. Treasury Bill, as published on the third Thursday of the month preceding the State Board meeting. **(Board resolution in Agenda Item No. 7, February 2, 1995, amended this section to eliminate the addition of sliding-scale margin based on the term of the loan.)**
7. In general, the maximum term of a loan will be established according to the size of the loan and the purpose for which the loan was authorized, with consideration given to the expected useful life of the goods purchased with the loan proceeds. For instance, loans for most administrative and classroom equipment (such as personal computers) would have a maximum term of 5 years; loans for more sophisticated equipment such as larger computer systems or utility networks would have a maximum term of 7 to 10 years; loans for deferred

major maintenance and for construction or renovation projects would have a maximum term of 15 years.

8. Initially, because of anticipated demand for funds from this source, the total amount loaned to an eligible institution from this source may not exceed \$250,000. Depending on the availability of funds as the program matures, this limitation may change. **(Loan limit removed by Board resolution, Agenda Item No. 24, October 21, 1994, provided other criteria are met and funds are available.)**
9. Institutions must submit applications for the loan no later than 45 days before the next following regular meeting of the SBHE. These applications must be made on the forms provided by the Department for this purpose **with a copy of the institutional board's resolution authorizing the loan request.**
10. Applications for loans for construction and/or renovation projects should be accompanied by a copy of the engineer's or architect's project budget guidelines.

Criteria for loan approval will include, but are not limited to, the following:
 - a. The institution's current debt service requirements; total annual debt service (including that for the loan, if approved) may not exceed 25% of annual student tuition and fee revenue or, if local millage is pledged against the loan, the millage income must equal no less than 120% of total annual debt service.
 - b. Feasibility of and need for the proposed project in the context of the educational and general mission of the institution.
 - c. Estimated project completion date.
 - d. Availability of loan funds.
12. Upon approval of the loan by the State Board, the institution must sign a Certificate of Indebtedness specifying a payout schedule and asserting the commitment of the institutional board to budget and allocate the sums necessary to make the payments agreed upon in the Certificate of Indebtedness. The payout schedule will include a closing fee plus an annual service fee assessed by Arkansas Development Finance Authority as agreed upon by the Department and the Authority and specified in the closing document(s). The Certificate of Indebtedness will provide for penalties for late payments. No penalties will be assessed for early retirement of the debt.
13. Loan funds will be disbursed for Board-approved projects only after the approval of a College Savings Bond Program Requisition.
 - a. For major maintenance and construction/renovation projects, institutions should submit a Requisition for the entire amount of the loan to the Department of Higher Education at the start of the project. Vouchers payable to the contractor would then be presented to State Building Services and the Department of Finance and Administration. State

Building Services will forward copies of the vouchers after they have approved payment. This procedure will permit institutions to meet the statutory requirement (A.C.A. 19-4-1411) limiting the time allowed between the contractor's submission of a pay request to the architect and the contractor's receiving payment.

- b. For all other projects, Requisitions and vouchers should be submitted to the Department of Higher Education for payment from the College Savings Bond Community/Technical College Revolving Loan Fund.
- 14. Interest liability will be accrued from the date the voucher is expensed by the Department of Finance and Administration, and will be charged only on that portion of the loan that has actually been drawn by the institution.
- 15. Debt service payments must be made according to the schedule agreed upon prior to the State Board's approval of the loan, and should be made payable to the Revolving Loan Repayment Fund, care of Arkansas Development Finance Authority. Penalties will be assessed for late payment of loans as described in the Certificate of Indebtedness.

Loan Application forms and document formats are included on the following pages.

The following document is to be used by institutions to apply for a loan from the College Savings Bond program:

**ARKANSAS COLLEGE SAVINGS BOND
COMMUNITY/TECHNICAL COLLEGE REVOLVING LOAN FUND
LOAN APPLICATION**

The _____, by authorization
(Name of Institution)

of its Board of Trustees on _____,
(Date of Board Action)

requests approval of the State Board of Higher Education of a
loan of \$ _____ for a period of _____
(Total Loan) (Loan Term)

from the College Savings Bond Community/Technical College

Loan Fund.

Signed _____, President

Date _____

**ARKANSAS DEPARTMENT OF HIGHER EDUCATION
INSTITUTIONAL LOAN APPLICATION
COLLEGE SAVINGS BOND
COMMUNITY/TECHNICAL COLLEGE REVOLVING LOAN FUND**

Institution Name: _____

Address: _____

Contact Person: _____

Telephone Number: _____

Date of Institutional Board's Approval of Loan Request: _____

(Attach a copy of institutional board's resolution authorizing this loan request.)

1. LOAN AND TERMS REQUESTED

Maximum Amount of Loan: _____

Maximum Period of Loan: _____

Draw Down to Begin: _____

2. INSTITUTIONAL CREDIT RATING (If Available)

List the credit rating of indebtedness of the institution, the name of the rating company (e.g., Standard & Poor, Moody Investors Service, etc.) and the date the rating was issued:

3. PROJECT DESCRIPTION

A. Describe the proposed project and its planned use. If the project is construction or renovation, attach a copy of the engineer's or architect's project budget.

B. If the project is construction or renovation, describe the factors which, within the context of overall campus planning, led to the institutional board's decision to authorize the project, and the proposed use of the new or renovated space. Include any facilities to be replaced by the new structure.

C. Construction Schedule:

Scheduled Start

Date _____

Scheduled Completion

Date _____

D. Draw Schedule:

Estimate the dates of scheduled construction payments.

4. CURRENT DEBT

List all outstanding debts, the revenue source pledged, and annual debt service for each.

5. REVENUE

a. Identify the revenue source from which this loan will be repaid and provide annual income from that source for the past five years and projected for the next three.

b. If this debt is to be secured by millage revenue, list the ten largest contributors to the tax base, and the per cent of total millage contributed to each (most recent five year average).

The cover page of the institutional board's resolution authorizing the execution of a Certificate of Indebtedness should generally conform to the following format:

COLLEGE RESOLUTION

BEFORE THE BOARD OF TRUSTEES OF

(Name of Institution)

AUTHORIZING THE EXECUTION OF

A CERTIFICATE OF INDEBTEDNESS AND

PRESCRIBING OTHER MATTERS

PERTAINING THERETO.

\$ _____
(Total Loan Amount)

(Name of Institution)

CERTIFICATE OF INDEBTEDNESS,

19__ FUNDING

Adopted: _____, 19__
(Date)

The form of the institutional board's resolution authorizing the Certificate of Indebtedness for initial loans (from the College Savings Bond fund as specified in Section 1; subsequent loans are those funded from the Revolving Loan Repayment Fund) should conform to the following general format:

RESOLUTION: AUTHORIZING THE EXECUTION OF A CERTIFICATE OF INDEBTEDNESS AND PRESCRIBING OTHER MATTERS PERTAINING THERETO

(Loans from the College Savings Bond Fund)

BE IT RESOLVED by the Board of Trustees of _____:

Section 1. Proceeds of Bonds. Funds have been made available for payment of the costs of higher education educational and general projects from the proceeds of State of Arkansas College Savings Bond Series 1993 issued by the Arkansas Development Finance Authority (ADFA), a portion of which proceeds have been designated to be loaned to public institutions of higher education, as authorized in Section 14 (a) and (b) of Act 683 of 1989, as amended.

Section 2. Project Financed. The State Board of Higher Education (SBHE) has approved a loan to this institution in an amount not to exceed the sum of \$_____ to accomplish the following project approved by the SBHE on _____, 19__, to-wit (insert Project Name); provided that this institution undertakes to repay said loan, with interest plus closing and servicing fees, into an account or fund as designated by ADFA/SBHE, so that the funds might be re-loaned to other institutions.

Section 3. Certificate of Indebtedness. While the afore-described project will not itself directly generate income which can be attributed to its operation, this institution and SBHE have determined that the institution's projected revenue available for debt service will be adequate to repay this loan with interest over the agreed-upon term and that the effectuation of the project with funds so loaned is cost-effective and in the best interests of the institution.

Section 4. Terms for Repayment. The Certificate of Indebtedness shall be executed on behalf of this institution by the Chair and Secretary of its Board under its seal in substantially the following form, which sets forth the terms for its repayment:

-form of Certificate of Indebtedness

Section 5. Source of Payment. The Board agrees to budget and allocate each fiscal year (from its projected revenues from all sources legally allowable for debt service and not otherwise pledged to the payment of bonds or other similar debts) sums necessary to make the payments called for by the Certificate of Indebtedness. This allocation shall take precedence over any other expenditure or appropriation. The

Board likewise agrees to maintain tuition and fees and to manage its fiscal affairs so as to enable the institution to make such payments and maintain its fiscal integrity, subject to periodic review and verification by the Arkansas Department of Higher Education (Department).

Section 6. Manner of Payment. Payments shall be made as set forth in the Certificate of Indebtedness, subject to the right of ADFA/SBHE, acting through the Department, to direct payment otherwise on reasonable notice to this institution. The Department/ADFA shall maintain a register of payments made and the principal balance, which shall be subject to review by this institution on request. The unpaid principal may be prepaid in whole or in part at any time without penalty.

Section 7. Applicable Statute. For purposes of A.C.A. 6-61-604 - 613, as amended from time to time, the Certificate of Indebtedness shall constitute a bond issued by the institution and purchased by ADFA/SBHE.

Section 8. Miscellaneous. The provisions of this resolution are separable and severable. It repeals any previous resolutions in conflict with it. There is an immediate need for the funds to be loaned hereunder, so as to constitute an emergency, hence, this resolution shall be in full force and effect from its adoption.

ADOPTED AND APPROVED _____, 19__.

Chair

ATTEST:

Secretary of the Board

(SEAL)

The form of the Certificate of Indebtedness for initial loans (from the College Savings Bond fund) and subsequent loans (from the Revolving Loan Repayment fund) will generally conform to the following format:

CERTIFICATE OF INDEBTEDNESS

Little Rock, Arkansas
\$ _____, 19__

FOR VALUE RECEIVED the undersigned promises to pay the sum of \$ _____, with interest at the rate of _____% per annum, plus closing costs and annual service fees, for the account of the Arkansas Development Finance Authority and the State Board of Higher Education (jointly and collectively "ADFA/SBHE") in the manner set forth herein:

- 1. **Payment Schedule.** Payments shall be made in care of the Arkansas Development Finance Authority, P. O. Box 8023, Little Rock, Arkansas 72201-8023, in accordance with the following schedule:

- 2. **Prepayment.** The indebtedness represented hereby may be prepaid, in whole or in part, at any time.

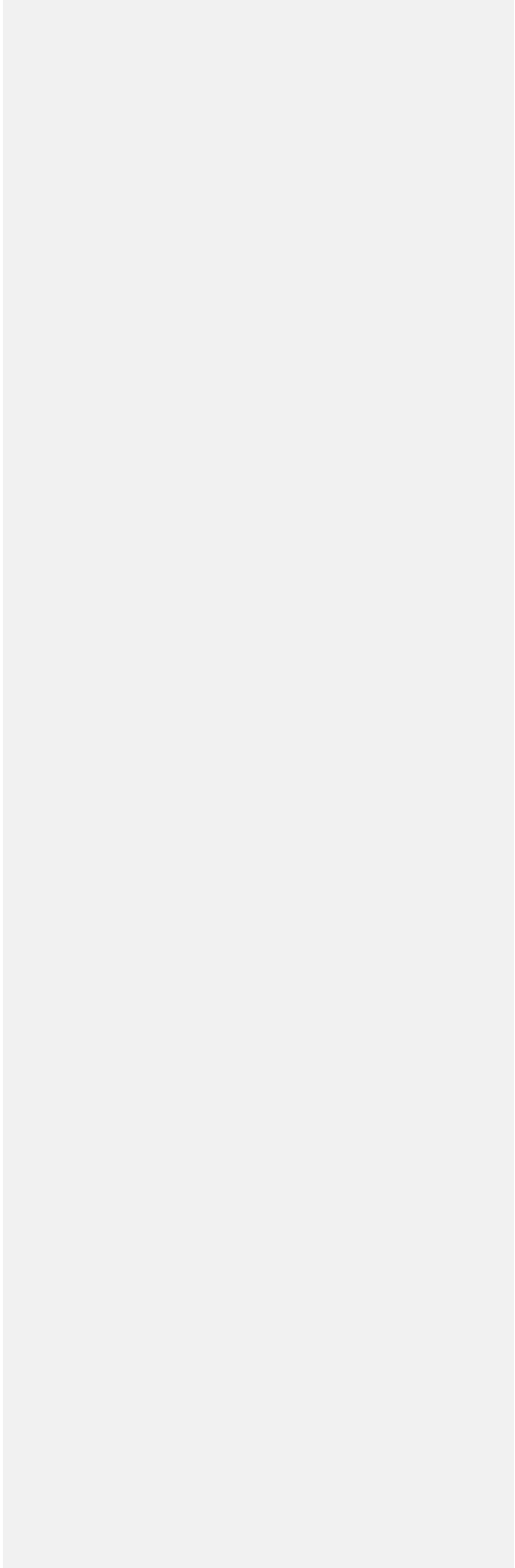
3. **Penalty.** Payments not paid by the tenth business day after their due date must be accompanied by a penalty in the amount of five percent (5%) of the payment, otherwise the Department shall not be obliged to accept any such payment. Further, failure to make any such payment prior to the twentieth business day after such due date shall entitle the ADFA/SBHE to accelerate the unpaid balance and demand its payment in full, which remedy is in addition to any other remedies at law or equity, or by statute.

IN WITNESS WHEREOF this Certificate of Indebtedness is executed on behalf of the undersigned on this ____ day of _____, 19__ by its Chair and Secretary.

By: _____
Chair

ATTEST:

(Secretary of the Board)



The form of the institutional board's resolution authorizing the Certificate of Indebtedness for subsequent loans (made from the Revolving Loan Repayment fund as specified in Section 1, as opposed to initial loans made from the CSB fund) should conform to the following general format:

**RESOLUTION: AUTHORIZING THE EXECUTION OF A CERTIFICATE OF
INDEBTEDNESS AND PRESCRIBING OTHER MATTERS
PERTAINING THERETO**

(For Loans from the Revolving Loan Repayment Fund)

BE IT RESOLVED by the Board of Trustees of _____:

Section 1. Proceeds of Bonds. Funds have been made available for payment of the costs of higher education educational and general capital projects from a revolving loan fund maintained by the Arkansas Development Finance Authority (ADFA) and the State Board of Higher Education (SBHE), and administered by the Arkansas Department of Higher Education (Department).

Section 2. Project Financed. The State Board of Higher Education (SBHE) has approved a loan to this institution in an amount not to exceed the sum of \$_____ to accomplish the following project approved by the State Board on _____, 19__, to-wit (insert Project Name); provided that this institution undertakes to repay said loan, with interest plus closing and servicing fees, into an account or fund as designated by ADFA/SBHE so that the funds might be re-loaned to other institutions.

Section 3. Certificate of Indebtedness. While the afore-described project will not itself directly generate income which can be attributed to its operation, this institution and the State Board have determined that the institution's projected revenue available for debt service will be adequate to repay this loan with interest over the agreed-upon term and that the effectuation of the project with funds so loaned is cost-effective and in the best interests of the institution.

Section 4. Terms for Repayment. The Certificate of Indebtedness shall be executed on behalf of this institution by the Chair and Secretary of its Board under its seal in substantially the following form, which sets forth the terms for its repayment:

-form of Certificate of Indebtedness

Section 5. Source of Payment. The Board agrees to budget and allocate each fiscal year (from its projected revenues from all sources legally allocable for debt service and not otherwise pledged to the payment of bonds or other similar debts) sums necessary to make the payments called for by the Certificate of Indebtedness. This allocation shall take precedence over any other expenditure or appropriation. The Board likewise agrees to maintain tuition and fees and to manage its fiscal affairs so as to enable the institution to make such payments and

maintain its fiscal integrity, subject to periodic review and verification by the Arkansas Department of Higher Education (Department).

Section 6. Manner of Payment. Payments shall be made as set forth in the Certificate of Indebtedness, subject to the right of ADFA/SBHE, acting through the Department, to direct payment otherwise on reasonable notice to this institution. The Department/ADFA shall maintain a register of payments made and the principal balance, which shall be subject to review by this institution on request. The unpaid principal may be prepaid in whole or in part at any time without penalty.

Section 7. Applicable Statute. For purposes of A.C.A. 6-61-604 - 613 as amended from time to time, the Certificate of Indebtedness shall constitute a bond issued by the institution and purchased by ADFA/SBHE.

Section 8. Miscellaneous. The provisions of this resolution are separable and severable. It repeals any previous resolutions in conflict with it. There is an immediate need for the funds to be loaned hereunder, so as to constitute an emergency, hence, this resolution shall be in full force and effect from its adoption.

ADOPTED AND APPROVED _____, 19__.

Chair

ATTEST:

Secretary of the Board

(SEAL)

Approved: Agenda Item No. 16
July 23, 1993

ALLOCATION OF COLLEGE SAVINGS BOND FUNDS

The Arkansas Higher Education Technology and Facility Improvement Act (Act 1282 of 2005) from Governor Huckabee's legislative initiative authorized the Arkansas Higher Education Coordinating Board, in consultation with the Arkansas Development Finance Authority, to refer to the voters a request for the authority to issue up to \$250 million in college savings bonds for the improvement of technology and facilities in higher education. Approximately \$100 million of the issue is to be used to refund/recall existing bonds. The remaining \$150 million is to be allocated to the public institutions of higher education in Arkansas.

Subsequently, Governor Huckabee, in a letter to the members of the Coordinating Board, requested that the bond proceeds be divided by distributing \$50 million, or one-third of the proceeds, among the two-year colleges. He further requested that the first \$10 million of the remaining \$100 million be allocated for connection to the e-Corridor for the ten universities and the medical sciences campus with the balance of the funds distributed to the universities and their entities. These executive guidelines have been followed in the recommended distribution of the anticipated bond proceeds. The Coordinating Board's policy of funding students without regard to the institution they attend was used as the basis for structuring the recommended distribution of the funds among the schools within the two groups.

Institutional requests submitted in May 2005 total more than \$651 million, which was more than four times the funds available for distribution. The number of projects requested and the high cost of some of the priority projects created a challenge for an equitable distribution. Therefore, it is important to note that these recommendations are for funding allocated to an institution or a system. The specific distributions of the funds to projects within an institution or system are to be at the discretion of the institution or system and submitted to ADHE by mid-August to be included in the allocation of funds.

It is the philosophy of the Coordinating Board, and ADHE staff, that the best decisions about which projects are the most critical to a system or an institution can be made by those who have the most knowledge and information regarding the priority needs of their institutions. Institutions should designate the projects to be funded from their allocations and the portion of their funds allocated to each project. Systems are asked to designate the institutions that are to receive funds as well as the projects for each entity.

Previous allocations of funds from earlier college savings bond programs are irrelevant since the funding recommendations are based upon the current enrollments and the current need of institutions for space. Funding received from the General Improvement Fund also has no relevance to this distribution.

Factors Considered in the Allocation of Funds

This distribution of funds to institutions has taken into consideration the fall 2004 on-campus enrollment; the latest annualized FTE enrollment which includes the spring of 2005; the Facilities Condition Index (FCI) for existing facilities; the space needed to accommodate the latest enrollment as determined by two space allocation models; and the institutions' utilization of their debt service capacity.

An institution's existing square footage was reduced by the square footage with a FCI of 80% or greater because facilities with an FCI of 80% or greater are usually not suitable for use. To determine whether an institution needed additional space, or had excess space for their current enrollment, the adjusted actual square footage was divided by the square footage needed as determined by two space allocation models developed for that purpose.

The latest reported debt service and revenues from tuition and fees were used to determine the percent of the debt service capacity being utilized. Debt service capacity was determined by taking 25% of the reported tuition and fee income. The source of the debt service and revenue from tuition and fees was the last "actual" 17 series reports or, if available, the latest bond feasibility request from the institution.

Since fall on-campus FTE enrollment generally represents an institution's maximum space need, it provided the initial student FTE for the distribution of funds. However, the proceeds for this bond issue are not limited to need for space or maintenance of existing space but include technology infrastructure upgrades. Off-campus and distance learning classes often have a greater technology cost associated with their delivery to students in terms of equipment maintenance and technical support staff. Therefore, the FTE enrollment used for funding allocation is the fall 2004 on-campus FTE plus one-half the difference in that enrollment and the annualized total FTE enrollment including off-campus classes.

Universities: Institutions whose adjusted actual square footage is greater than the space model-determined need would receive a smaller allocation than if they had a need for additional square footage. Institutions with a smaller percent of debt service capacity being utilized would receive a smaller allocation of funds than institutions whose percent of debt service capacity exceeded the average.

After the Governor's requested initial allocations, the remaining funds were divided equally among the institutions on the basis of the institutions' adjusted FTE enrollment. The adjustments for ratio of actual space to the space model-generated need and for the percent above or below the average percent of debt service capacity being utilized were made to the FTE enrollments. The resulting weighted FTE enrollments were used to make the preliminary allocations of the balance of the funds. The resulting preliminary allocations were compared to institutions' requests and rounding adjustments were made in light of the expressed needs of the institutions and Coordinating Board priorities.

Colleges: The distribution of funds to colleges is based on an economy-of- scale concept. The preliminary basis for the allocation decisions was to provide \$2,100 for the first 500 adjusted FTE enrollment up to the amount requested by an institution. The next allocation was based on \$1,700 for the next 1,000 adjusted FTE enrollment, up to the actual adjusted FTE enrollment, or the funds needed for an institution's top priority projects. The remaining funds were distributed equally among the FTE of schools with more than 1,500 FTE students. These preliminary allocations were rounded and adjusted by comparing the funding to the institution's priority requests and AHECB priorities.

RESOLVED, That the Arkansas Higher Education Coordinating Board approves the proposed allocation of anticipated college savings bond funds in accordance with Act 1282, the Governor's legislative initiative, and the Governor's request to distribute \$50 million among the two-year colleges, \$10 million for access to the e-Corridor for the universities and medical sciences campus, with the remaining balance distributed to the universities and their entities.

FURTHER RESOLVED, That the Coordinating Board approves the recommended methodology for the distribution of anticipated college savings bond proceeds as described in this agenda item.

FURTHER RESOLVED, That the Coordinating Board has not authorized and shall not authorize the issuance of bonds requiring more than \$24 million in debt service per fiscal year as provided for in the Act.

FURTHER RESOLVED, That the Coordinating Board instructs the Director and ADHE staff to transmit to the Governor and the General Assembly a written plan for technology and facility improvement projects to be funded with the proceeds derived from the sale of the bonds, as described in this agenda item, the need for the projects, the estimated benefits of the projects and the anticipated debt service requirements for the bonds.

FURTHER RESOLVED, That the Director shall and is directed to act as the duly authorized designee of the Chair of the Coordinating Board in requisitioning the proceeds of the bond sales held in the State Treasury and certifying that the funds disbursed thereby are for the payment of project costs of a higher education project duly approved by the Coordinating Board, as reflected.

Approved: Agenda Item No. 3
July 29, 2005

OFF-CAMPUS INSTRUCTION POLICY

During the spring 2001, the Arkansas Higher Education Coordinating Board considered a conflict between Black River Technical College and Arkansas State University as to whether or not BRTC should offer freshman and sophomore courses should in Paragould. A special committee of the Board, the 30-Mile Rule Committee was formed to consider the issue since the "30-mile rule" was in dispute. The committee also began work with ADHE staff to consider various options at resolving related issues. The committee heard testimony from interested parties at a special Board meeting on March 12, 2001. On April 19 the committee and other Board members heard a report from the staff on these various options. At its April 20, 2001, meeting, the entire Board approved for both BRTC and ASU to offer freshman and sophomore courses in the city of Paragould.

Since April, staff has worked with the Executive Council and other presidents and chancellors in arriving at a policy upon which agreement has been reached. The policy provides criteria for the resolution of conflicts, to be used by ADHE staff and the Board, when institutions disagree about which one should offer courses at an off-campus site.

The following resolution is submitted for Board consideration:

RESOLVED, That the Arkansas Higher Education Coordinating Board approves the policy on off-campus instruction included in this agenda item, effective October 19, 2001.

FURTHER RESOLVED, That the Coordinating Board instructs the Director of the Arkansas Department of Higher Education to notify all presidents and chancellors of this approval.

Off-Campus Instruction Policy
Arkansas Higher Education Coordinating Board

Introduction

The Arkansas Higher Education Coordinating Board (AHECB) has encouraged access to higher education through a number of policies over the years including support for distance learning initiatives in the state and across the southern region, as well as approval for off-campus programs at sites throughout Arkansas. The Board and its staff believe it is important to promote both access and quality in higher education because the state's educational attainment level remains below the national average with respect to the number of adult Arkansans with college degrees. Furthermore, the Board recognizes that our economy increasingly rewards those with the education and skills to compete in the modern workforce (as well as rewarding the states and communities where such skilled persons live and work).

With the acknowledged need for educational access comes the recognition that resource constraints on the state and its public institutions of higher education limit the extent to which our campuses can be all things to all people. While competition for students has increased access to higher education services, it also puts undeniable strains on fiscal and other institutional resources. This tension between greater access and limited resources presents itself in a number of current and pending requests for approval of new off-campus activities, particularly those where more than one institution seeks to offer services in the same community.

In light of the need for educational access coupled with resource limitations, the purpose of the adopted policy will be to establish guidelines for the delivery of educational courses and programs to students and organizations through off-campus programs and courses. The guidelines also will include criteria to be used by the AHECB when conflicts arise between institutions regarding off-campus instruction.

The following AHECB priorities will be considered when resolving institutional conflicts:

- Provide educational opportunities to all citizens of the state.
- Provide quality off-campus courses/programs at a reasonable cost to students and the state.
- Allow institutions that are currently offering off-campus courses at specific locations to continue to do so.

- Eliminate unnecessary duplication of off-campus courses, programs, and facilities. (A.C.A. § 6-61-206 and 303)
- Reduce the costs of off-campus programs by reducing duplication of institutional effort, thus preventing overextension of state's resources. (A.C.A. § 6-61-303)
- Promote cooperation among two-year and four-year institutions when responding to community educational needs.

In addition to the AHECB's priorities, there are also general assumptions that should be considered in relation to the agreed upon off-campus instruction policy. These general assumptions are as follows:

- Off-campus offerings that existed in 2000-01 will be allowed to continue regardless of service area designations. Once a particular off-campus course/program that is offered outside of an institution's designated service area is discontinued or the offering is interrupted for at least two years, the adopted off-campus instruction guidelines must be followed.
- This policy is intended to assign primary responsibility for offering educational services at off-campus locations for two- and four-year institutions. They are not meant to give exclusive rights to one institution over another.
 - A branch campus or education center will not have an assigned service area independent of its main campus.
 - Student-semester-credit-hours generated by off-campus students who are charged less than the full tuition rate for on-campus students will not be included in the funding formula.
 - Disagreements that cannot be resolved between institutions will be resolved either by the ADHE staff or the Coordinating Board. If an institution fails to abide by the ADHE or Coordinating Board decision, then the SSCH generated at the unauthorized location by the institution that was not approved to offer courses at that site will not be included in the funding formula.
 - Electronically-delivered instruction will not be subject to off-campus instruction policies if no physical presence is established by the sending institution and if a contract between a student and the institution involves only those two parties. If, however, the instruction is delivered in either real- or delayed-time at a particular location to a defined group of students using technology, then a physical presence

has been established. When a physical presence is established, either electronically or through traditional means, off-campus instruction policies will apply.

- The off-campus instruction policy that is adopted will apply only to credit courses. The policy will not apply to workforce, or any other, courses that are offered on a non-credit basis.

AHECB Policy

- All service area designations will continue as they currently exist. Two-year colleges will retain the counties assigned to them in 1992 as areas of primary responsibility.
- Four-year institutions will not have a designated area for off-campus courses/programs.
- Because the “30-Mile Rule” was part of a funding policy adopted for the 1991-93 biennium and was superceded by a new funding policy the following biennium, the “30-Mile Rule” is not a criterion for offering off-campus credit courses.

Criteria for Conflict Resolution

Institutions that seek to offer off-campus instruction and cannot reach agreement between each other, either informally or with a written Memorandum of Understanding, will appeal to ADHE staff. After receiving a written request from each effected institution that includes pertinent information and data, ADHE staff will mediate the conflict. If the affected institutions reject the decision of ADHE staff, the Arkansas Higher Education Coordinating Board will hear evidence, consider staff recommendations, and make a final determination.

In order to determine the merits of presented arguments, the Department staff and Board members will require in writing from each institution the following information:

- Mission of institution
- Willingness of institution
- Capability of institution
- Type of courses/programs proposed
- Cost to students
- Desire of the community
- History of off-campus offerings in the geographical area
- Evidence that this will not result in unnecessary duplication of programs or facilities
- Evidence that the offerings will not result in overextension of state’s resources
- Other relevant information as determined by the institutions, Department staff, and/or ACHEB members

Although the “30-Mile Rule” is not a criterion used to resolve institutional conflicts regarding off-campus offerings, the AHECB does not look favorably on an institution that encroaches on the service area of a second institution.

PERFORMANCE BASED (OUTCOME-CENTERED) FUNDING POLICY

Background

Act 1203 of 2011 repealed Arkansas Code §6-61-223 and amended [§6-61-224](#), [§6-61-228](#), [§6-61-229](#), and [§6-61-230](#). The act directs the Department of Higher Education to develop an outcome-centered component of the funding formula for colleges and universities by December 31, 2011. Beginning in 2013-14 the funding recommendations will be based on the need component of student enrollment and the output components of student success and other performance measures. The proportion of the funding recommendation will begin with five percent based on outcome-centered measures, increasing by five percent (5%) each year to reach twenty-five percent (25%) in 2017-18. Act 1397 of 2013 was later implemented so that the funding component of the outcome-centered formula shall not progress beyond the 2014-2015 school year, or ten percent (10%), until such time as the Department of Higher Education determines that all institutions are funded at the minimum standard of equity defined as seventy-five percent (75%) of needed state funding. Also, in any fiscal year that the aggregate general revenue funding forecast for higher education institutions is less than the amount in the 2012-2013 fiscal year, the Department of Higher Education will not further implement the funding component until such time as the aggregate general revenue is restored to the 2012-2013 fiscal year level. The Director and staff at the Department of Higher Education worked with the presidents, chancellors and key staff at the universities and colleges, along with the Executive Director and key staff at the Arkansas Association of Two-Year Colleges, to develop the university and college performance measures.

Performance Measures

For the implementation of performance funding, institutions are to be held harmless for complying or participating in an initiative promoted by the Arkansas Department of Higher Education (ADHE) that has the potential to adversely affect the outcomes of compliance with performance funding measures. *This includes, but is not limited to degree audits, contributions to economic development, and increases in quality of education provided.*

The performance-based funding formulas were developed and reviewed with the following principles in mind:

Universities

- **Doubling the number of degrees produced by 2025 without compromising academic rigor.** The universities recognize that to bolster the economic development needs of the State, we must significantly increase the number of degrees, including STEM degrees, awarded to Arkansas students. Significant weighting is placed on increasing the number of bachelor's degrees awarded. All institutions will be measured each year on total credentials awarded, bachelor

credentials awarded, STEM production and student progression. Forty percent (40%) of all performance funding will be allocated to these four measures.

- **Recognizing the diversity of Arkansas's universities and the varying demographics and economic realities of their locale, as well as the academic unpreparedness of many of the students they serve.** The optional measures include underrepresented minorities, non-traditional, transfer and low-income graduates, as well as graduates with remedial needs and those electing a course of study in a high demand field or a critical need of a particular region of the state.
- **Recognizing research activities in bolstering the economic development of the state.** Several universities are involved in substantial research efforts through the receipt of external grants and awards, issuance of patents and the development of new companies. While not directly producing graduates, these economic development measures produce jobs, a component that must be present if the state has any hope of retaining a large percentage of its graduates.
- **Holding all institutions accountable for the major state goals outlined in Act 1203 through the combination of mandatory and optional measures.** The measures allow each institution to select optional goals based on mission, role and scope. Each institution will be measured against its own progress and not against an arbitrary standard.
- **Recognizing that the performance record in the early years will almost certainly change over time and that it must be reviewed on an annual basis to assure the overall goal of doubling the number of graduates by 2025 is attainable.**
- **Keeping the measures simple, clear and understandable.**
- **Producing accurate and reliable data will dictate the success of the performance funding measures.**

Colleges

Two-year colleges are open-door institutions that serve four major educational purposes: 1) technical skills education; 2) preparation for transfer to a four-year university; 3) remedial education and; 4) workforce training for business and industry. A two-year college performance funding model must incorporate all four purposes.

Performance Measures Definitions

Universities

The following table provides a list of the measures with definitions:

Mandatory Measures	
Measure	Definition
Bachelor Credentials	Number of bachelor's degrees earned by students for an academic year regardless of enrollment status.
Total Credentials	Number of all credentials (technical certificates and above) earned by a student for an academic year regardless of enrollment status.
STEM Credentials	Number of all credentials (technical certificates and above) earned by a student for an academic year regardless of enrollment status in the STEM CIP Codes. The source identifying STEM CIP Codes is the version published by US Immigration and Customs Enforcement (ICE). The list may be found at the following website (www.ice.gov/sevis/stemlist.htm).
Progression: University Version (New Arkansas Measure)	This measure utilizes a cohort of credential-seeking students enrolling in 6 or more hours during a fall semester. The cohort is then tracked through the next academic year to identify how many students in the cohort earned a total 18 or more credit hours through the two academic years (including remedial/developmental courses). The Progression Rate is expressed as a percentage and changes over time are expressed as a difference in percentage points. If a student graduates during the allotted time frame, then that student is counted as progressed.
Optional Measures	
Measure	Definition
Course Completion	This is a Successful Course Completion Rate calculation which compares number of successful SSCH to all SSCH in all non-remedial courses. The Successful Course Completion Rate is expressed as a percentage and changes over time are expressed as a difference in percentage points.
High Demand Credentials	Number of all credentials (technical certificates and above) earned by a student for an academic year regardless of enrollment status in the HIGH DEMAND CIP Codes. The 2011 version of the HIGH DEMAND CIP Codes were obtained from ADWS (Arkansas Department of Workforce Services).
Minority Student Credentials	Number of all credentials (technical certificates and above) earned to persons identified as Asian only, Black only, Hispanic any, American Indian/Alaska Native only, Hawaiian/Pacific Islander only or Two or More Races. (Unknowns, Non-Resident Aliens, White and Other graduates are not included.)
Non-Traditional Student Credentials	Number of all credentials (technical certificates and above) earned by a non-traditional student in an academic year. Non-traditional students are defined as age 25 or older at the time of graduation.
Remedial Student Credentials	Number of all credentials (technical certificates and above) earned by a remedial student in an academic year. Remedial students are defined as students who were required to take at least one remedial course for completion.

Regional Economic Needs Programs Credentials	Number of all credentials (technical certificates and above) earned by a student for an academic year regardless of enrollment status in programs identified by the institution and approved by the Arkansas Higher Education Coordinating Board. See Appendix B for detail.
Transfer Student Credentials	Number of all credentials (technical certificates and above) earned by a student transferring from another Arkansas public institution of higher education.
Expenditure of Federal Awards	Increase in restricted federal expenditures excluding transfers and scholarships by fiscal year.
Patents	The number of U.S. patents (utility, plant or design) issued or reissued to an institution within the year. Certificates of plant variety protection issued by the USDA should be included.
New Company Start-ups	The number of new companies started during the years that were dependent on licensing an institution's technology for their formation.
Compensatory Measure	
Percentage of Pell Receiving Undergraduate Population	Percentage of all undergraduate students receiving Pell grants (http://nces.ed.gov/collegenavigator/)

Colleges

The following table provides a list of two-year college measures with definitions:

Mandatory Measures	
Measure	Definition
Remedial Course Success	The rate of remedial courses completed relative to remedial courses attempted.
Non-remedial Course Success	The rate of non-remedial courses completed relative to non-remedial courses attempted.
Progression	The rate of students that complete either 18 hours or a credential.
Certificates of Proficiency	The number of certificates of proficiency awarded.
Technical Certificates	The number of technical certificates awarded.
Associate Degrees	The number of associate degrees awarded.
Total Credentials	The rate of credentials awarded relative to enrollment.
Mandatory Compensatory Measures	
Measure	Definition
Low-Income	The number of low-income students relative to enrollment.
Under-prepared	The number of underprepared students relative to enrollment.
Optional Measures	
Measure	Definition
STEM Credentials	The number of STEM credentials awarded.

High Demand Credentials	The number of high demand credentials awarded.
Workforce Training	The number of workforce training contact hours reported.
Transfer	The number of students that transfer after completing a minimum of 12 hours.
Adult Credentials	The number of credentials awarded to adults.
Minority Credentials	The number of credentials awarded to minorities.
Employment	The number of credential completers that obtain employment.

Performance Funding Scoring Requirements

The maximum score that can be earned on the University and College Performance Funding Model is ten (10) points. In order for an institution to maintain one-hundred percent (100%) of its performance (outcome-centered) funding, a minimum score of six (6) is required. If an institution scores below six (6), performance funding may be reduced using a graduated scale based on the institution's score.

Distribution of Performance (Outcome-Centered) Funding

One-hundred percent (100%) of an institution's performance (outcome-centered) funds will be distributed to that institution each year that the minimum score of six (6) is received on the Performance Funding Model. At such time that an institution scores below the minimum score of six (6), performance funds will be redistributed based on the following guidelines:

Universities

In the first year that a university does not meet the minimum score of six (6), the university may submit an improvement plan outlining the areas where performance has not been met and detail the actions the university will take to achieve or exceed the minimum score required for the Performance Funding Model. If approved, the university may receive improvement funding, up to the amount of performance funding that was lost.

If an improvement plan is not submitted or is not approved for the amount of performance funding lost, those funds will be redistributed, on a competitive basis, to other universities that meet the required performance funding score. To receive redistribution funding, a university must submit a proposal outlining plans to improve some performance-funding outcome measure. Submitted proposals will be ranked and funded beginning with the highest ranked proposal until all redistribution funds are exhausted.

If a university fails to meet the minimum score of six (6) for a second consecutive year, and each consecutive year thereafter that a university does not meet the minimum score of six (6), performance funds will be reduced using the graduated scale based on the institution's score. These funds will be redistributed on a competitive basis, to other universities that meet the required performance funding score. To receive redistribution funding, a university must submit a proposal outlining plans to improve some performance-funding outcome measure. Submitted proposals will be ranked and funded beginning with the highest ranked proposal until all redistribution funds are exhausted.

The ADHE will assemble a committee that will be responsible for approving and ranking improvements plans.

Colleges

In the first year that a college does not meet the minimum score of six (6), the college may submit an improvement plan outlining the areas where performance has not been met and detail the actions the college will take to achieve or exceed the minimum score required for the Performance Funding Model. If approved, the college may receive improvement funding, up to the amount of performance funding that was lost.

If an improvement plan is not submitted or is not approved for the amount of performance funding lost, those funds will be redistributed, on a competitive basis, to other colleges that meet the required performance funding score. To receive redistribution funding, a college must submit a proposal outlining plans to improve some performance-funding outcome measure. Submitted proposals will be ranked and funded beginning with the highest ranked proposal until all redistribution funds are exhausted.

If a college fails to meet the minimum score of six (6) for a second consecutive year, and each consecutive year thereafter that a college does not meet the minimum score of six (6), performance funds will be reduced using the graduated scale based on the institution's score. These funds will be redistributed on a competitive basis, to other colleges that meet the required performance funding score. To receive redistribution funding, a college must submit a proposal outlining plans to improve some performance-funding outcome measure. Submitted proposals will be ranked and funded beginning with the highest ranked proposal until all redistribution funds are exhausted.

The ADHE will assemble a committee that will be responsible for reviewing improvements plans.

The following resolution is offered for the Board's consideration:

RESOLVED, That the Arkansas Higher Education Coordinating Board adopts the amendment to the performance measures described in this agenda item for outcome-centered components in implementing the provisions of Act 1203 of 2011 and Act 1397 of 2013.

SECTION 3:

ACADEMIC AFFAIRS

**GUIDELINES FOR COLLEGE ALGEBRA COURSE CONTENT
AND MATHEMATICS COURSES AS SOPHISTICATED AS COLLEGE ALGEBRA**

In response to concern expressed by presidents and chancellors regarding the impact of the Freshmen Assessment and Placement Program on transfer of mathematics course credit, the Arkansas Department of Higher Education asked mathematics department heads at state institutions of higher education to develop a college algebra content guide and guidelines for development of courses "as sophisticated as" college algebra.

The chief academic officers (CAO) discussed the recommendations of the mathematics department heads at the CAO meeting in March, and the group generally agreed that the mathematics guidelines would facilitate transfer of mathematics course credit.

On April 22, 1988, the State Board of Higher Education adopted the following resolution (Agenda Item No. 16):

RESOLVED, That the State Board of Higher Education instructs the Director of the Arkansas Department of Higher Education to assist the state colleges and universities in resolving questions regarding transfer of credit for mathematics courses covered by the assessment and placement regulations implementing Section 19 of Act 1052 of 1987.

Guidelines For College Algebra Course Content

Three (3) semester hour credit course must include:

1. Quadratic equations and inequalities with applications.
2. Polynomial rational, exponential, logarithmic functions, graphing functions, combining functions, inverse functions solving problems whose mathematical models are polynomial, exponential and logarithmic functions. Finding zeros of polynomial and rational functions including the use of methods of approximation.
3. Solving systems of linear equations, including solution by matrix methods and determinants. Systems of linear inequalities; applications of both systems of equations and systems of linear inequalities. Systems of non-linear equations.

Recommended topics include:

4. Mathematical induction, Binomial Theorem, arithmetic and geometric sequences and series, counting techniques and probability.

Note: The Math Program Heads Subcommittee recommends that students with ACT scores ranging from 15-19 (16-19 after 1988-89) be given additional diagnostic testing before being placed in college algebra.

Guidelines For Development of Mathematics Courses as Sophisticated as College Algebra

Every mathematics course for baccalaureate degree credit that does not have college algebra as a prerequisite shall (1) have a prerequisite score of 15 on the mathematics section of the ACT in 1988 (16 in 1989 and thereafter), above 370 on the quantitative portion of the SAT in 1988 (above 380 in 1989 and thereafter), 11 on the ASSET Intermediate Algebra test in 1988 (12 in 1989 and thereafter), or grade of C or better in intermediate algebra; and (2) be subject to a review by out-of-state mathematics consultants selected by the Arkansas Department of Higher Education staff. The consultants will identify course strengths and shortcomings and will recommend any changes necessary to ensure that a course is "at least as sophisticated" as college algebra.

Approved: Agenda Item No. 16
April 22, 1988

**AHECB Policy 5.2: RULES FOR INSTITUTIONAL
AND PROGRAM CERTIFICATION
(ICAC RULES)**

In October 2012, the Arkansas Higher Education Coordinating Board (AHECB) authorized the Director of the Arkansas Department of Higher Education (ADHE) or designee to develop and modify as needed the application forms for institutional and program certification, and to make administrative and technical changes and corrections when necessary to the Rules for Institutional and Program Certification. As directed by the Coordinating Board, ADHE notified the Institutional Certification Advisory Committee (ICAC), the Arkansas public and independent colleges and universities, and the institutions offering courses/degrees certified or exempt from certification by the Coordinating Board of the proposed clarification statements for implementation of the administrative and technical changes and corrections to the ICAC Rules (AHECB Policy 5.2), and of the development and modification of ICAC application forms at least 30 days prior to the effective date.

The Coordinating Board acknowledged the proposed clarification statements at its meeting on October 31, 2014, and ADHE considered the ICAC and institutional comments on the proposed clarification statements for the implementation of the administrative and technical changes and corrections and the development and modification of the ICAC application forms during the 30-day notification period which ended on December 1, 2014. Clarification language is in *italics* and is effective January 1, 2015.

ADHE Executive Staff Recommendation (Adopted by AHECB-October 26, 2012)

Arkansas Code Annotated §6-61-301, §6-61-302, §6-2-107, §6-61-135, and §6-61-136

RESOLVED, That the Arkansas Higher Education Coordinating Board adopts the amendment of the Rules for Institutional and Program Certification (ICAC Rules) presented in this agenda item.

FURTHER RESOLVED, That by the adoption of the amendment, the Director of the Arkansas Department of Higher Education or designee is authorized to promulgate these ICAC Rules for implementation in January 2013.

FURTHER RESOLVED, That the Director of the Arkansas Department of Higher Education or designee is authorized to develop and modify the ICAC application forms as needed, and to make administrative and technical changes and corrections when necessary to the Rules for Institutional and Program Certification.

FURTHER RESOLVED, That ADHE must notify the ICAC and institutions offering courses/degrees certified or exempt from certification by the Coordinating Board of the ICAC Rules amendment, of any administrative and technical changes and corrections to the ICAC Rules, and of the development and modification of ICAC application forms at least 30 days prior to the effective date. ADHE must consider the ICAC and institutional comments on proposed administrative and technical changes and corrections and the ICAC application forms during the 30-day notification period.

ICAC RULES
Effective January 1, 2015

I. Authority

The Arkansas Legislature granted authority to the Arkansas Higher Education Coordinating Board (AHECB) to provide for the orderly development of higher education and to protect Arkansas students from fraudulent or inferior programs. [Arkansas Code Annotated (ACA) §6-61-301, §6-61-302, §6-2-107, §6-61-135, and §6-61-136]

AHECB is authorized to establish the criteria for certification of college-level courses and degree programs offered by non-public, not-for-profit, for-profit, and out-of-state institutions of higher education, and to provide oversight on matters related to the operation of the postsecondary educational institutions in Arkansas.

A non-public, not-for-profit, for-profit or out-of-state postsecondary educational institution offering courses/degree programs customarily offered in colleges and universities to Arkansas must obtain AHECB certification prior to offering those courses/degree programs.

Arkansas public colleges and universities are exempt from AHECB institutional/ program certification under the ICAC Rules. Arkansas private/independent colleges/universities may offer courses and degrees at the program level currently authorized by the State of Arkansas or AHECB and currently recognized by the agencies that accredit these institutions without further review by AHECB under the ICAC Rules. AHECB acknowledgment of state and institutional participation in the Southern Regional Education Board-State Authorization Reciprocity Agreement (SARA) is noted in Section III-Institutions Exempt from AHECB Certification.

An institution without AHECB certification offering a college-level course or degree program to students in Arkansas must cease and desist from operating in Arkansas until certified by AHECB. Any institution that fails to obtain required AHECB certification will be reported to the Consumer Protection Division of the Office of the Arkansas Attorney General. An individual or institution that operates in Arkansas without AHECB certification as required under ACA §6-61-301 shall be guilty of a Class B misdemeanor.

To assist AHECB with its certification responsibilities, ACA §6-61-302 directs AHECB to appoint an advisory committee known as the Institutional Certification Advisory Committee (ICAC). ICAC members include six chief administrators or designee of two-year and four-year postsecondary institutions in Arkansas, a representative of the Department of Career Education, and two residents of the state of Arkansas who are not officially affiliated with any postsecondary institution. ICAC members serve for a specified time period.

II. Institutional/Program Certification Process

Step 1 - An institution must submit a Letter of Intent signed by the Academic Affairs Officer of the institution. By the published timeline, the Letter of Intent must be submitted to ADHE prior to submission of an application for certification.

Certification Period

There is a three-year initial certification period for courses/degree programs, and a three-year certification period for planning and development for the establishment of a new institution or a branch campus location in Arkansas. Course/degree program recertification is required at the conclusion of the initial certification period and when subsequent periods of certification expire, and will be granted for a three-year period. The certification period will expire on December 31 of Year 3.

The three-year certification period will not be extended for institutional planning and development for a new Arkansas college/university or for an existing institution to locate a branch campus in Arkansas; therefore, a new institution or branch campus must be ready to apply for initial certification of courses/degree programs by the end of the institutional planning and development period.

Step 2 - The institution must submit an Application for Certification that includes information about the institutional operations and the proposed course/degree program. Submit the application and documentation in a Word file with a web link to the institution's current catalog to: ICAC@adhe.edu.

An institution requesting AHECB certification must provide documentation that the institution is 1) accredited by an accrediting agency recognized by the United States Department of Education or Council on Higher Education Accreditation; 2) authorized to operate as a postsecondary institution in its home state; and 3) has documentation of home state approval and program accreditation for professional licensure programs. An institution applying for institutional or program certification for the first time must not advertise or operate in Arkansas until AHECB certification is granted. (The term home state is defined as the state or country where the college/university has its initial charter or authorization to operate as a state-support, non-profit, or for-profit postsecondary institution. A college/university could have state authorization and institutional accreditation to operate branch college/university campus locations and degree programs outside the home state.)

An out-of-state institution must submit an application for AHECB certification of courses and degree programs such as professional practice programs that are not covered under the participation agreement for SARA or the recognized regional compacts.

Institutional Accreditation

Institutions seeking AHECB certification must hold accreditation from an accrediting agency recognized by the United States Department of Education or Council on Higher Education Accreditation. Institutions that present accreditation from entities that are not recognized by the United States Department of Education or Council on Higher Education Accreditation will not be granted certification or an exemption from certification from the Arkansas Higher Education Coordinating Board.

ACA §6-61-136 states that an individual shall not establish or operate an accrediting agency in Arkansas without recognition by the United States Department of Education. An individual claiming to operate an accrediting agency in Arkansas or an entity representing itself as an accrediting agency in Arkansas that is not recognized by the United States Department of Education or Council on Higher Education Accreditation will be reported to the Consumer Protection Division of the Office of the Arkansas Attorney General.

In 2013, ACA §6-61-136 was amended to allow unrecognized accrediting agencies to establish and operate in Arkansas for schools that do not receive federal funding and are operated solely to provide programs that prepare students for religious vocations.

An institution that does not offer associate degrees or above must contact the Arkansas State Board of Private Career Education (www.sbpce.org) about school licensure requirements for offering in Arkansas only non-credit courses, diplomas or certificates in vocational/occupational areas.

The Arkansas State Board of Private Career Education is authorized to license private career schools to issue diplomas and certificates under ACA §6-51-601-6-51-605. Arkansas public and private/independent colleges and universities are exempt from licensure by the Arkansas State Board of Private Career Education.

Application Review Process

Once the requesting institution has submitted an application to ADHE, the application will be reviewed by ADHE. Should ADHE determine that the institution has not submitted the required application and documentation, the institution will be contacted and asked to submit the specified information within a defined time period. ADHE review of the application will be suspended until all requested institutional information is submitted to ADHE which could delay the review of the application. Failure to submit the appropriate completed forms and the related fees by the established deadlines may result in no further consideration of the application for certification by ADHE or withdrawal of AHECB certification.

Review Team

If necessary, ADHE will select an independent review team of faculty and administrators who are knowledgeable of similar courses/degree programs or level of institution included in the certification application. The team will read/review the application and may visit the institution or proposed institutional location as part of the review process.

If an on-site review is needed, ADHE will schedule a mutually convenient time for the on-site review of the courses/degree programs or the proposed institutional location by ADHE and the review team. Institutional representatives also could be required to meet with the review team at ADHE unless the ADHE staff determines that the review can be conducted by a telephone conference call.

ADHE staff will conduct the application/campus reviews with the review team submitting a written team report to ADHE that will be shared with the institution and the ICAC. The

institution must submit to ADHE a written response to the review team report within a defined time period, no less than 20 days.

Course/Degree Review

The course/degree content and minimum credit hours required must be appropriate for the field of study and degree level. The courses and degree plans must be approved in the institution's home state before AHECB certification is granted.

All undergraduate degrees must include 1) the home state required/approved general education core curriculum that is similar to the Arkansas minimum general education core curriculum or 2) the Arkansas minimum general education core curriculum. The institution must provide written documentation that the course/degree plan has been approved by the institution/trustees and/or the appropriate higher education/postsecondary and professional program agency in the home state.

The AHECB has established assessment and course placement guidelines for student ability-to-benefit in associate and bachelor's degree programs. All institutions must provide a plan for assessment and course/degree placement for student success. For an entity applying for certification to establish or locate an institution in Arkansas, the AHECB or comparable assessment and placement guidelines must be used for student enrollment.

Professional certificates and degree programs for licensure/certification such as law, medicine, respiratory care, cosmetology, nursing, teacher education, psychology, and counseling must meet Arkansas state licensure/certification requirements to be granted AHECB certification.

There must be a sufficient number of faculty with the appropriate academic credentials and experience. The institution must provide documentation of adequate financial resources and instructional resources related to student academic support and success and for distance technology delivery.

ADHE Executive Staff Recommendation

Based on the results of the review, ADHE may ask the institution and review team for more information regarding the course/degree program or new institution/branch campus application before making 1) a recommendation for program/institutional certification to AHECB, or 2) a recommendation to deny certification. An institution may elect to appeal the ADHE Executive Staff Recommendation; however, the decision of the Arkansas Higher Education Coordinating Board is final.

Notification and Application Submission Timelines

AHECB will consider applications for certification at its quarterly meetings. The Letter of Intent *and applications* are due on January 1, April 1, July 1, and October 1. A completed application, including all required documentation, must be submitted on or before the

published deadlines. Late applications, applications requiring additional review, or other time constraints may cause AHECB action to be delayed until the next review cycle.

Should a certified degree be modified with the changes exceeding 18 semester credit hours of the total credit hours of the degree program, a Letter of Notification with a description of the changes must be submitted to ADHE for review prior to the change. Degree changes of 18 semester credit hours or less must be submitted with a Letter of Notification by the application deadlines listed above.

Awarding of Academic Credential/Degree

Institutions may not award an academic credential/degree to any student unless demonstrated mastery of knowledge and skills has been documented. A degree may not be granted to any student solely for experiential learning or work experience. The minimum criteria for college-level courses/degree programs, faculty/administrators, instructional resources, institutional accreditation, and state authorization/agency approvals required for AHECB certification are outlined in the Appendix section of the ICAC Rules. These criteria must be met for initial and continued institutional and program certification by AHECB.

ACA §6-61-135 defines False Academic Credential as a document that provides evidence or demonstrates completion of an academic or professional course of study at the postsecondary level that results in the awarding of a certificate, degree, or rank that is issued by an individual or institution that is not certified or exempt from certification under ACA §6-61-301.

A person who knowingly uses a false academic credential for the purpose of obtaining employment, a professional license, a job promotion, college admission, or a government position; or introduces oneself to others as having attained an academic title or a level of academic achievement may be convicted of a Class B misdemeanor and fined up to one thousand dollars (\$1,000.00).

III. Institutions Exempt from AHECB Certification

Non-public, not-for-profit colleges and universities currently incorporated and recognized by the Arkansas Higher Education Coordinating Board as Arkansas independent institutions of higher education, and operating under the applicable laws of this state shall not be required to receive certification from the Arkansas Higher Education Coordinating Board unless the institution fails to maintain accreditation from an accrediting agency recognized by the United States Department of Education or Council on Higher Education Accreditation. *These Arkansas colleges and universities also shall not be required to receive licensure from the Arkansas State Board of Private Career Education.*

Arkansas independent colleges and universities must contact ADHE prior to any change in the institution's charter or level of degree program. AHECB will consider all requests for changes in the name of the institution, institutional charter, or level of degree program offered.

A non-public, not-for-profit college or university recognized as an Arkansas independent institution of higher education that fails to maintain *recognized* institutional accreditation must notify ADHE of its plan to cease operations in an orderly manner. Before institutional operations can resume, an application for certification for reinstatement of authority to grant degrees must be submitted to ADHE; and the AHECB must grant certification for institutional planning and development.

Institutions operated solely to provide programs of study in church-related training may be eligible for an exemption from certification. Programs offered by such institutions would specifically prepare students to assume leadership positions in the church and/or religious organization. Church-related training must be clearly labeled so that both the recipients of the training and persons evaluating the training are able to identify the nature and purpose of the program.

Because AHECB certification is required for college-level courses and degrees, each-degree title for church-related training must include a religious modifier. The religious modifier must be placed on the title line of the degree, on the transcript, and whenever the title of the degree appears in official school documents/catalogs, or written/electronic publications.

Institutions offering college-level courses and degrees on military installations with a majority of student enrollments being active/retired military personnel or their dependents; institutions offering courses and degrees through the Southern Regional Education Board Electronic Campus or other recognized regional compacts; and institutions offering only non-academic, credit and non-credit programs for the specific purpose of avocational training and professional development/preparation may be exempt from certification. The definition of non-academic, avocational/professional preparation programs is included in the Appendix section of the ICAC Rules.

The Arkansas Higher Education Coordinating Board acknowledges that the Arkansas Department of Higher Education is authorized to participate in all educational program initiatives offered through the Southern Regional Education Board (SREB), including the collaborative program with the National Council for the State Authorization Reciprocity Agreement (SARA); and directs ADHE to meet all AHECB, SREB and SARA requirements for the State of Arkansas to participate in the SARA. Therefore, the distance technology courses and degrees approved for institutions authorized for participation in SARA are exempt from certification by the Arkansas Higher Education Coordinating Board.

Arkansas public, independent, not-for-profit, and for-profit colleges and universities must meet all AHECB, SREB and SARA requirements regarding program reciprocity to be approved by the Director of the Arkansas Department of Higher Education or designee for participation in SARA in collaboration with SREB. Courses and degrees approved for SARA will include distance technology programs only and will not include professional licensure/certification programs. Arkansas colleges and universities will not be assessed a state fee for participation in SARA. Institutional participation in SARA is optional.

Exemption from Certification Process

Institutions seeking an Exemption from Certification must submit an Application for Exemption from Certification and provide required documentation. An institution applying for exemption from certification for the first time must not advertise or operate in Arkansas until the Letter of Exemption from Certification is issued.

Once the requesting institution has submitted an application to ADHE, the application will be reviewed by ADHE. Should ADHE determine that the institution has not submitted the required application and documentation, the institution will be contacted and asked to submit the specified information within a defined time period. ADHE review of the application will be suspended until all requested institutional information is submitted to ADHE which could delay the review of the application. Failure to submit the appropriate completed forms by the established timelines may result in no further consideration of the application for exemption from certification by ADHE and AHECB.

If the institution meets exemption criteria, a Letter of Exemption from Certification will be issued for three years. Upon expiration of the exemption from certification, the institution must submit an application for renewal of the exemption. Institutions will not be assessed a fee for a Letter of Exemption from Certification.

Institutions that do not meet exemption criteria or offer both non-academic programs such as church-related training and college-credit courses that lead to a degree that is customarily granted by colleges and universities must obtain institutional and course/degree program certification to continue operating in Arkansas.

AHECB may withdraw exemption status for proper cause. Such withdrawal will constitute a denial of exemption and require 1) a subsequent application for certification or 2) a referral to the Consumer Protection Division of the Office of the Arkansas Attorney General for the discontinuation of institutional operations in Arkansas.

IV. Fees

ADHE is entitled to recover administrative fees related to the certification process. These fees include an application processing fee and travel expenses for the review team. All fees are non-refundable.

The processing fee must be submitted with applications for certification of established institutions to offer college-level courses/degree programs, and with applications for certification of a newly established college/ university or branch campus location in Arkansas.

A fee will not be assessed for colleges/universities participating in SREB reciprocity programs and/or SARA. Distance technology courses/programs offered by colleges/universities through recognized regional education compacts such as SREB and/or through a reciprocity agreement such as SARA will be exempt from AHECB certification/authorization and fees. A fee will not be assessed for colleges/ universities or entities offering only church-related training and/or non-academic courses/programs.

Institutions applying for certification will be responsible for the travel expenses of the review team when a team is assigned to review the certification application. The review team may make an on-site visit to the institution or institutional representatives may be required to meet with the review team at ADHE unless the ADHE staff determines that the review can be conducted by telephone conference call or remote/electronic technology.

V. Bonds

In an effort to protect Arkansas students from financial hardship and loss due to the unexpected closure of an institution certified by the Arkansas Higher Education Coordinating Board, non-public, not-for-profit, for-profit, and out-of-state postsecondary institutions certified to offer college-level courses/degree programs in Arkansas will be required to maintain a surety bond during operations in Arkansas, to maintain a minimum federal financial responsibility composite score of 1.5, or to provide a letter from an official of the appropriate state government entity acknowledging state authority and funding of the institution.

VI. Forms

For the convenience of institutional employees responsible for preparing and submitting information to ADHE, new forms will be developed or existing forms will be modified as needed that must be used to provide information for certification activities. The forms can be found in the Appendix section of the ICAC Rules.

VII. Implementation of ICAC Rules under Administrative Procedure Act

ADHE staff will review any proposed amendments to the ICAC Rules with the Institutional Certification Advisory Committee and the institutions certified or exempt from certification under ACA 6-61-301 prior to making a recommendation to the Arkansas Higher Education Coordinating Board. The Arkansas Higher Education Coordinating Board and the Arkansas Department of Higher Education will follow the provisions of the Administrative Procedure Act.

The ADHE Director or designee is authorized to develop and modify the ICAC application forms as needed, and to make administrative and technical changes and corrections/clarifications when necessary to the Rules for Institutional and Program Certification. ADHE must notify the ICAC and institutions certified or exempt from certification by the Coordinating Board of any amendments or administrative and technical changes and corrections/clarifications to the ICAC Rules, and of the development and modification of ICAC application forms at least 30 days prior to the effective date. ADHE must consider the ICAC and institutional comments on proposed amendments, administrative and technical changes and corrections/clarifications and the ICAC application forms during the 30-day notification period.

VIII. Questions about ICAC Rules

The Rules for Institutional and Program Certification (ICAC Rules) have been developed and amended to provide a clear, orderly process for the certification of established non-public, not-for-profit, for-profit, or out-of-state postsecondary institutions offering college-level courses/degree programs in Arkansas; and for the creation of new non-public institutions in Arkansas, or for the establishment of a branch campus for an existing non-public, not-for-profit, for-profit, or out-of-state institution seeking a location in Arkansas.

Submit questions related to the AHECB certification/SARA process to:

ICAC
Arkansas Department of Higher Education
423 Main Street, Suite 400
Little Rock, AR 72201
(501) 371-2000
ICAC@adhe.edu

IX. Institutional Certification Advisory Committee (ICAC)

The Institutional Certification Advisory Committee will receive an annual report from the ADHE Director or designee on institutional/program certification that includes data on program enrollments and graduation. The ICAC may meet as needed to discuss higher education policies, legislative issues, and institutional and public concerns. Based on institutional or public comments on courses/ degree programs, ICAC questions, and/or ADHE findings, ADHE will determine if an ICAC meeting is necessary prior to the quarterly AHECB meeting and interested parties will be notified. If requested by ADHE, a representative of the institution applying for course/degree program certification must

attend the ICAC meeting (via telephone) at which the application will be considered to respond to questions. Following this meeting, ADHE will either 1) make a recommendation for certification to the AHECB, 2) ask for more information regarding the course/degree program application, or 3) deny the application for certification. The institution may elect to appeal the ADHE Executive Staff Recommendation to the AHECB; however, the decision of the AHECB is final.

Student Grievance Procedure

All institutions participating in SREB activities, SARA activities, and/or obtaining AHECB certification or exemption from certification must publish, post, and adhere to a procedure for handling a student grievance. The institutions must furnish an e-mail address or toll-free telephone number for quick access in filing a student grievance.

These institutions also must notify ADHE of all formal student grievances upon filing and of the disposition of unresolved formal student grievances within 20 days.

The student grievance procedure with timeline is included in the Appendix section in the ICAC Rules.

Students may contact ADHE at ADHE_Info@adhe.edu for information on Arkansas colleges and universities or to report a grievance on any college/university offering programs to Arkansans. Prior to contacting ADHE about a grievance, the student must complete the formal student grievance/complaint process at the college/university.

X. Arkansas Higher Education Coordinating Board (AHECB)

The Arkansas Higher Education Coordinating Board meets four times annually and will consider the ADHE Executive Staff Recommendation for ICAC certification at each meeting.

AHECB Meeting Attendance

A representative of the institution requesting initial certification is not required to travel to Arkansas to attend the AHECB meeting unless requested by ADHE or AHECB. AHECB will act on the ADHE Executive Staff Recommendation for institutional and program certification and make the final decision.

Revocation of AHECB Certification/Exemption from Certification

The Arkansas Higher Education Coordinating Board shall, after giving a 30-day notice in writing to the institutional trustees to show cause why such action should not be taken, revoke any certification or exemption from certification issued by AHECB whenever the Arkansas Higher Education Coordinating Board shall find, after proper investigation, that the institution is conferring degrees/diplomas without requiring sufficient work or is in violation of any of the provisions of the laws of Arkansas or ICAC Rules. Such withdrawal of certification or exemption from certification will be referred to the Consumer Protection

Division of the Office of the Arkansas Attorney General for the discontinuation of institutional operations in Arkansas.

Appeal Process

Should the institution elect to appeal any decision of the Director of the Arkansas Department of Higher Education or the Arkansas Higher Education Coordinating Board, a Letter of Appeal must be filed with ADHE within 30 days of the decision. The decision of the AHECB is final.

Clarifications: October 31, 2014; January 30, 2015

GUIDELINES ON ACADEMIC CLEMENCY

Act 1000 of 1991 requires the State Board of Higher Education to establish a set of guidelines on academic clemency policies. The state colleges and universities may incorporate the SBHE guidelines into their institutional clemency policies. The ADHE staff has worked with institutional representatives in developing the proposed guidelines.

The State Board approved the following resolution on April 10, 1992 (Agenda Item No. 28):

RESOLVED, That the State Board of Higher Education adopts the Guidelines on Academic Clemency Policy and recommends their incorporation into academic clemency policies established by state higher education institutions in Arkansas.

Citation: [6-60-207](#)

GUIDELINES ON ACADEMIC CLEMENCY

Act 1000 of 1991 directs the State Board of Higher Education to develop guidelines for the establishment of institutional policies on academic clemency. The law describes academic clemency as a second chance for those students who performed poorly early in their academic careers and who wish to return to college after having gained an appreciation of the benefits of higher education. Under the provisions of a clemency policy, students "may petition . . . to have previously earned grades and credits removed from the calculations of their cumulative grade point averages."

Institutional policies on academic clemency should contain specific provisions based on the following general guidelines:

1. Academic clemency may be granted to returning students who have not been enrolled in any institution of higher education for a specified period of time. This minimum period should be set between two years and ten, depending upon the manner in which the policy on clemency relates to other institutional policies regarding calculation of grade point averages.
2. Institutional policy may allow returning students to petition for clemency upon application for admission, upon enrollment, or following a validation period during which time students must demonstrate their resolve to succeed academically.
3. While grade point averages would not reflect the credits for which students are granted clemency and while those forgiven credits would not count toward graduation, transcripts must contain students' comprehensive academic records.
4. Clemency should cover all credits earned during the terms for which it is granted. A policy on grade renewal, which Act 1000 does not address, might more effectively allow those students whose records reflect both failing and passing efforts to amend past academic shortcomings.
5. In the interest of consistent application of clemency policy across the college or university, students should be required to submit petitions for academic clemency to the chief academic officer of the institution.
6. No institution should be compelled to honor clemency granted by another institution; nevertheless, transfer students who received clemency at another institution should be allowed to petition for clemency under the provisions established by the receiving institution.
7. Under Act 1000, clemency policies apply to undergraduate academic records only.

Approved: Agenda Item No. 28
April 10, 1992

ANNUAL REPORTS ON STUDENTS IN INTERCOLLEGIATE ATHLETICS

ACT 267 of 1989 directs ADHE to work with the colleges and universities to develop an annual report on "the retention and graduation rates of all students who participate in intercollegiate athletics." This report had been developed through a series of meetings with institutional research staff at the colleges and universities. The State Board is asked to adopt a set of definitions and a reporting schedule for the collection of this information.

In addition, Department staff have worked with campus officials to develop a one-page report which summarizes financial aid to students who participate in intercollegiate athletics. This form would be a supplement to an existing financial aid report already provided to ADHE every year by the institutions. The purpose of this one-page report is to collect accurate, consistent information. Definitions and reporting schedules for each report are described below.

I. Annual Progression on Intercollegiate Athletes

This report has been developed to meet the requirements of Act 267; under the terms of this statute, the report should be made to ADHE by October 15, 1990, and should include information on all students at the institution who participated in intercollegiate athletics during the 1989-90 academic year. Definitions of enrollment status should follow current ADHE guidelines for other enrollment reports.

Definitions

Participants in intercollegiate athletics are defined as those students listed by the institution on official rosters for any team during the 1989-90 academic year, including athletes who were redshirted and those who practice or traveled with the team.

Each section of the report requests information about students who received full or partial athletic grants and on those athlete who did not receive athletic grants. An athletic grant means a full or partial athletic scholarship to a student for tuition, fees, room, board, books and other educational expenses at the institution.

In calculating retention and graduation rates, the report requests information about the academic standing of student-athletes. For these purposes, making satisfactory progress is defined to mean that a student is enrolled in a program of studies leading to a degree from the institution and meets institutional regulations regarding satisfactory progress toward that degree. Similarly, good academic standing is defined as the academic standards used by the reporting institution to determine good academic standing for all enrolled students.

Reporting Schedule

Institutions should provide the completed report to ADHE by October 15 each year, according to Act 267.

II. Financial Aid to Student-Athletes

An extensive survey of financial aid to athletes and other students was conducted by legislative staff in fall 1988. Since it appears that interest in this subject will continue, ADHE and institutional staff have developed a one-page supplement to an existing report on financial aid that provides essentially the same information as the legislative survey. This contains definitions and instructions compatible with current institutional data collection activities.

Definitions

The definition of a participant in intercollegiate athletics is identical to that used in the annual progression report. Financial aid to student-athletes is defined as financial assistance for tuition, fees, room and board, and books. Tuition waivers are also classified as financial aid. The report asks that financial aid awards be reported in three categories: **E & G Funds**, including tuition waivers; **Auxiliary Funds**, defined as revenues derived directly from the operation of auxiliary enterprises such as residence halls, food services, college stores and student unions; and **Other Sources**, such as Pell Grants, work-study funds and similar sources.

Reporting Schedule

This report would be due at ADHE by December 1 each year, covering financial aid awards for the previous fiscal year. A copy of the instructions and reporting form are attached.

To implement these reports and the reporting schedules described above, the Board approved the following resolution on April 20, 1990 (Item No. 7):

RESOLVED, That the State Board of Higher Education adopts definitions and reporting schedule for the Annual Progression Report on Intercollegiate Athletes, in accordance with provisions of Act 267 of 1989.

FURTHER RESOLVED, That the State Board adopts the definitions and reporting calendar for the annual report on Financial Aid to Student Athletes.

Citation: [6-61-220](#)

ANNUAL PROGRESSION REPORT ON INTERCOLLEGIATE ATHLETES

Under the terms of Act 267 of 1989, this report should be made to ADHE by October 15, 1990. The report should include information on all students at your institution who participated in intercollegiate athletics during the 1989-90 academic year. Definitions of enrollment status should follow AHEIS definitions, using the 11th class day as the freeze date for each term.

Participants in intercollegiate athletics are defined as those students listed by your institution on official rosters for any team during the 1989-90 academic year, including athletes who were redshirted and those who practiced or traveled with the team.

Each section of the report requests information on students who received full or partial athletic grants and on those athletes who did not receive athletic grants. For purposes of this report, an athletic grant means a full or partial athletic scholarship to a student for tuition, fees, room, board, books and other educational expenses at the institution.

Part I: 1989-90 Participants in Intercollegiate Athletics

1. Total number of first-time entering freshmen in the 1989-90 academic year.

This should equal the sum of first-time entering freshmen in Summer I and Summer II 1989, fall 1989, and spring 1990.

2. Total number of 1989-90 first-time-entering freshmen who participated in inter-collegiate athletics in the 1989-90 academic year: Report in Column 1 the number receiving a full or partial athletic scholarship; student-athletes who did not receive an athletic grant should be reported in Column 2.
3. Of the number reported in (2), report those participating in football, men's basketball, women's basketball and track or cross-country.
4. Total number of students (including freshmen) who participated in intercollegiate athletics during the 1989-90 academic year: Report in Column 3 the number receiving a full or partial athletic scholarship; student-athletes who did not receive an athletic grant should be reported in Column 4.
5. Of those reported in (4), report the number who participated in football, men's basketball, women's basketball and track or cross-country in the 1989-90 academic year

Part II: Progression of 1989-90 Participants in Intercollegiate Athletics

6. Of the total reported in (2) above, give the number still enrolled in fall 1990. How many are still enrolled in fall 1990 and making satisfactory progress toward a degree? How many left the institution in good academic standing prior to graduation? Report in Column 1 of Part II on those who received a full or partial athletic grant in 1989-90; freshman student-athletes who did not receive an athletic scholarship in 1989-90 should be reported in Column 2.
7. Of those reported by sport in (3) above, give the number still enrolled fall 1990. How many are still enrolled in fall 1990 and making satisfactory progress toward a degree? How many left the institution in good academic standing prior to graduation? Report track and cross-country participants in the same column.
8. Of those reported in (4) above, give the number still enrolled in fall 1990. How many are still enrolled in fall 1990 and making satisfactory progress toward a degree? How many left the institution in good academic standing prior to graduation? How many received a degree from the institution in 1989-90? Report in Column 1 on the number of all 1989-90 student-athletes who received a full or partial athletic grant in 1989-90; all 1989-90 athletes who did not receive an athletic scholarship in 1989-90 should be reported in Column 2.
9. Of those reported by sport in (5) above, give the number still enrolled in fall 1990. How many are still enrolled in fall 1990 and making satisfactory progress toward a degree? How many left the institution in good academic standing prior to graduation? How many received a degree from the institution in 1989-90? Report track and cross-country participants in the same column.

For purposes of this report, SATISFACTORY PROGRESS is defined to mean that a student is enrolled in a program of studies leading to a degree from the institution and meets institutional regulations regarding satisfactory progress toward that degree.

GOOD ACADEMIC STANDING is defined as the academic standards used by your institution to determine good academic standing for all enrolled students.

PARTICIPATION BY SPORT: Count students who participated in football and any other sport in the football category only; count students who participated in basketball (men's or women's) and any other sport except football in the basketball category only.

FINANCIAL AID TO STUDENT-ATHLETES

1. This form should be provided to ADHE annually as a supplement to the OCR B3: Financial Assistance to Students in Institutions of Higher Education. The report is due at ADHE by December 1, 1990.
2. Reporting Period: Data for this Supplement are to be reported for the preceding fiscal year, e.g., July 1, 1989 - June 30, 1990.

3. Student athletes are defined to include all students who participated in intercollegiate athletics during the reporting period. This includes students who were listed by your institution on official rosters for any intercollegiate team during the reporting period, including athletes who were redshirted, those who practiced or traveled with the team, and students who received financial aid as defined in (4)-(9) below.
4. In addition to reporting financial aid to all student-athletes, please report the same information for participants in football, men's basketball and women's basketball in the appropriate rows and columns. Count a student who participates in basketball (men's or women's) and any other sport except football in the basketball category.
5. For purposes of this report, financial aid to student-athletes is defined to include financial assistance to students for tuition, fees, room and board, and books. Tuition waivers are also defined here as financial aid. The value of tuition waivers should be reported under E & G funds in Columns 1 and 2.
6. Financial aid awards to student-athletes should be reported in Columns 1-6 of this form if these awards meet any of these criteria: (a) the award is an athletic performance-based scholarship or grant provided to a student defined in (3) above as a student-athlete; (b) financial aid is provided to a student-athlete from unrestricted educational and general state funds; (c) financial aid is provided to a student-athlete from auxiliary funds; or (d) financial aid is provided from other sources, including private or federal funds such as (but not limited) foundations, college work-study scholarships, Pell Grants, and similar sources.
7. Report financial aid to student-athletes from E&G state funds in Columns 1 and 2. Include the value of tuition waivers in these columns. Exclude expenditures financed by grants-in-aid from other sources.
8. Report financial aid to student-athletes from auxiliary funds in Columns 3 and 4. Auxiliary funds are revenues derived directly from operation of auxiliary enterprises (such as residence halls, food services, college stores, student unions).
9. Report financial aid to student-athletes from all other sources in Columns 5 and 6. These sources include Pell Grants, work-study scholarships, and similar sources.
10. The figures reported on each row of Column 8 should equal the sum of the same row in Columns 1, 3, and 5. Column 8 should equal the sum of Columns 2, 4, and 6.
11. Data on athletes who participate in football and basketball should be included in the information reported for all athletes.
12. Row totals for All Athletes should equal the sum of All In-State Athletes plus All Out-of-State Athletes.
13. Row totals for All Participants in Football and Basketball should equal the sum of In-State Football and Basketball Participants plus Out-of-State Football and Basketball Participants.

Adopted: Agenda Item No. 7
April 20, 1990

REVISION OF FACULTY EVALUATION GUIDELINES

Act 244 of 1989 (A.C.A. ~~6~~6-219) requires each public institution of higher education to develop a plan for the annual performance review of all full-time faculty members. Pursuant to the requirements of this act, ADHE developed "SBHE Guidelines, Institutional Plans for Annual Review of Faculty Performance" as a guide for the development of these plans. This document was approved by the SBHE at the October 1989 meeting of the Board.

Act 465 of 1995 amended Act 244 to define further certain requirements of the faculty performance reviews. This act requires that the evaluation of faculty by students be applicable to all teaching faculty, full-time, part-time, and graduate teaching assistants and shall include an assessment of the fluency in English of the faculty member or graduate teaching assistant. In addition, Act 1270 of 1995 requires that annual faculty performance reviews include tenured as well as nontenured faculty members. The SBHE guidelines have been revised to incorporate the additional requirements of these two acts.

Act 1270 further requires that "...a written description of the evaluation procedure or process shall be filed with the Joint Interim Committee on Education prior to December 1, 1995," for review by the Committee. It is proposed that the revised document, "SBHE Guidelines, Institutional Plans for Annual Review of Faculty Performance" be submitted as the required "written description of the procedure or process."

The following resolution was approved by the State Board on October 20, 1995 (Agenda Item No. 25):

RESOLVED, That the State Board of Higher Education approves the "SBHE Guidelines, Institutional Plans for Annual Review of Faculty Performance" as amended.

FURTHER RESOLVED, That, by the adoption of these guidelines, the guidelines approved on October 13, 1989, and amended on April 10, 1992, are so amended.

FURTHER RESOLVED, That the State Board of Higher Education recognizes that the "SBHE Guidelines, Institutional Plans for Annual Review of Faculty Performance" as amended accurately describes the procedure or process used for annual reviews of faculty performance in publicly supported institutions of higher education in Arkansas.

Citation: [6-61-219](#)

**STATE BOARD OF HIGHER EDUCATION GUIDELINES
INSTITUTIONAL PLANS FOR ANNUAL REVIEW OF FACULTY PERFORMANCE**

The following are State Board of Higher Education guidelines for the preparation of institutional plans for annual faculty performance review:

I. Description

The institutional plan for annual faculty performance review shall describe the process, including details about how individual faculty members will be reviewed, instruments or review activities involved, and the various steps and approvals of the assessment at each level of the institution's organization and administration.

II. Who shall be evaluated

The institutional plan shall prescribe a process for the evaluation of all full-time faculty members, both tenured and nontenured. Full-time faculty members shall be defined as individuals on full-time appointment by state institutions of higher education and paid from positions in the educational and general academic portions of appropriation acts and labeled "faculty." Included are such related categories as those labeled "professor, associate professor, assistant professor, instructor, lecturer, distinguished professor, university professor, distinguished professor-law, and extension faculty."

III. Assessment by peers, students, and administrators

The institutional assessment plan shall involve peers, students, and administrators, and it shall describe their roles in the overall annual faculty performance review. The evaluation by students shall be applicable to all teaching faculty, full-time, part-time, and graduate teaching assistants and shall include an assessment of the fluency in English of the faculty member or graduate teaching assistant. The plan shall identify and explain any instances in which the assessment does not involve peers, students, or administrators.

IV. Uses for promotion, salary increases, and job retention

The institutional plan shall include utilization of the results of the review, with other appropriate information, as a basis for decisions on promotion, salary increases, and job retention. The review may not be used to demote a tenured faculty member to a nontenured status. The plan shall describe processes for decision making regarding promotion, salary increases, and job retention and indicate how the results of the annual faculty performance review are incorporated into those processes.

V. Institutional monitoring of the annual faculty performance review

The institutional plan shall include institutional monitoring of the process for annual faculty

performance review to ensure rigorous and consistent application. The plan shall describe the monitoring and indicate persons or positions responsible for the monitoring.

VI. Institutional evaluation of its annual faculty performance review plan

The institutional plan shall include and describe provisions for evaluating its review system and for making changes when necessary.

VII. State Board of Higher Education approval of institutional plans

State Board of Higher Education (SBHE) approval of each institution's plan is required prior to implementation of the plan. The normal process will be for proposed plans or proposed significant changes to existing plans to be submitted to the Arkansas Department of Higher Education (ADHE) by August 15 of each year and, after appropriate ADHE staff review, for the plans to be submitted to the SBHE at its fall meeting each year.

VIII. Arkansas Department of Higher Education monitoring and reporting

ADHE shall request annual reports on the institutions' evaluation processes and, at least once each biennium, report its findings to the SBHE.

Policy adopted: Agenda Item No. 8
October 13, 1989

Amended: Agenda Item No. 24
April 10, 1992

Amended: Agenda Item No. 25
October 25, 1995

STATE MINIMUM CORE REQUIRED FOR BACCALAUREATE DEGREES

This agenda item presents for adoption the state minimum core for baccalaureate degrees, which is required by Section 2 of Act 98 of 1989.

The state minimum core proposal was developed with the assistance of an advisory committee composed of nine chief academic officers: Dr. Joel Anderson of the University of Arkansas at Little Rock; Dr. Mike Arrington of Ouachita Baptist University; Dr. Joe Clark of Henderson State University; Dr. John Dahlquist of Arkansas College; Dr. Jim Ed McGee of Arkansas Tech University; Dr. Eugene McKay of Arkansas State University-Beebe; Dr. John Pauly of the University of Arkansas for Medical Sciences; Dr. Don Pederson of the University of Arkansas, Fayetteville; and Dr. Gordon Watts of North Arkansas Community College. The committee met numerous times, and sent drafts for comment by chief academic officers of all state institutions.

The proposal has been discussed with the chief academic officers at two separate meetings and with the presidents and chancellors. There has been a great amount of compromise required for the development of the proposal, but there is general agreement that it is fair to all concerned.

The proposal is presented as both specified courses and ranges within which choices can be made in five different general academic areas. The total is to be 35-semester credit hours, and each institution is to develop its own specific list of 35 semester hours within the limits of the State Board adopted state minimum core. The specific institutional lists will be presented to the State Board for approval in the summer of 1991, with implementation scheduled for the fall of 1991. The second page of the proposal contains general provisions necessary for implementation of the state minimum core.

Act 98 of 1989 also requires that each institution develop a program for assessing the state minimum core as taught at that institution. Guidelines for the development of the institutional assessment programs will be presented at the August 3, 1990, meeting with institutional plans due for State Board review in the summer of 1991 and the assessment programs in place in the fall of 1991.

On April 20, 1990, the State Board approved the following resolution (Agenda Item No. 9):

RESOLVED, That the State Board of Higher Education adopts the state minimum core required for baccalaureate degrees as presented in this agenda item in response to the provisions of Section 2 of Act 98 of 1989.

FURTHER RESOLVED, That the state institutions of higher education are requested to propose their specific lists of courses which will constitute the state minimum core on their campuses and to present their proposed state minimum cores to the Arkansas Department of Higher Education by May 1, 1991.

Citation: [6-61-218](#)

State Minimum Core Required for Baccalaureate Degrees

Act 98 of 1989 (Arkansas Code 6-61-218) provides that the State Board of Higher Education "shall establish in consultation with the colleges and universities a minimum core of courses which shall apply toward the general education core curriculum requirements for baccalaureate degrees at state supported institutions of higher education and which shall be fully transferable between state institutions." The term "state minimum core" will be used to describe the core identified for purposes of this legislation.

The following list of courses, with accompanying specifications, are proposed to implement this legislation:

State Minimum Core

English/Communication

English Composition	6
Speech Communication	0-3

Math

3*	College algebra or course as sophisticated as college algebra
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*Institutions may require students majoring in math, engineering, science, and business to take higher math as part of the state minimum core.

Science

8**	Science courses must include laboratories.
-----	--

**Institutions may require students majoring in math, engineering, science, education, and health related professions to take higher or specific science courses as part of the state minimum core.

Fine Arts/Humanities

6-9***	Must be broad survey courses(s).
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Social Sciences

US History or Government	3
Other Social Science	6-9***

***Institutions may require students majoring in engineering to take either six hours of humanities and social sciences at the junior/senior level or substitute an

additional six hours of higher math and/or additional science as part of the state minimum core.

Total 35

**State Minimum Core Required for Baccalaureate Degrees
General Provisions**

1. Within the framework of the state minimum core specified on the previous page, each state institution shall propose 35 semester-credit hours from its institutional general education core to be recognized for purposes of this legislation. The total general educational degree requirements at each institution may exceed the state minimum core requirements.
2. Each state institution shall present its proposed state minimum core for consideration by the State Board of Higher Education for recognition under this legislation. Institutions may present proposed changes in their state minimum cores to the State Board as necessary.
3. Each state institution shall accept for transfer and apply toward requirements for any baccalaureate degree such parts of any other state institution's state minimum core as shall be presented by transfer students. If a student transfers to an institution which has total general education degree requirements that exceed the state minimum core, after recognizing all courses presented from the sending institution's state minimum core, the receiving institution may determine which additional general education courses are required to make up the difference between the state minimum core courses presented and the institution's total general education degree requirements.
4. Students should be aware that score requirements for credit by examination on such tests as CLEP or Advanced Placement vary among institutions and that institutions to which they transfer may have different requirements than the requirements of the institution previously attended. Institutions are requested to show on their transcripts the test scores utilized for awarding credit by examination.
5. Frequently, courses with a grade of D do not transfer, and students should be aware that institutional policies regarding the transfer of courses with D grades may vary.
6. In math and science, higher courses than those required will be accepted for purposes of the state minimum core.
7. A receiving institution may be more lenient in accepting credit at its own election; however, the policies regarding the state minimum core do not obligate the receiving institution beyond the stated courses and provisions.
8. A student who has enrolled under more than one state minimum core may select that core which is to be transferred to the receiving institution.

Other Transfer Agreements

Students should be aware that there are other transfer agreements which involve specific institutions and groups of institutions and which provide for transfer of greater numbers of semester credit hours than are included in the state minimum core. There are voluntary core curriculum transfer agreements which include several institutions of higher education in instances such as baccalaureate liberal arts and elementary education degrees. There are also a number of transfer agreements between two institutions in specific fields such as engineering or agriculture.

Approved: Agenda Item No. 9
April 20, 1990

REVISIONS TO THE STATE MINIMUM CORE CURRICULA

In April 1990, the Arkansas Higher Education Coordinating Board adopted guidelines for the development of State Minimum Core Curricula in response to A.C.A. §6-61-218. This legislation provides that courses within the Core shall apply toward the general education core curriculum requirements for baccalaureate degrees at state-supported institutions and shall be fully transferable between public institutions.

In accordance with Act 672 of 2005, the Coordinating Board approved the Arkansas Course Transfer System (ACTS) in October 2006. ACTS incorporates and eventually will replace the existing State Minimum Core Curricula.

The revised core curricula appear on the following pages with revisions indicated in *bold* and *italics*.

The following resolution is presented for Coordinating Board consideration.

RESOLVED, That the Arkansas Higher Education Coordinating Board approves the revised curricula for Southern Arkansas University—Magnolia, University of Arkansas, Fayetteville, University of Arkansas - Fort Smith, University of Central Arkansas, Arkansas State University—Beebe, Cossatot Community College of the University of Arkansas, East Arkansas Community College, Ouachita Technical College, Phillips Community College of the University of Arkansas, Rich Mountain Community College, Southern Arkansas University—Tech, and the University of Arkansas Community College at Hope.

FURTHER RESOLVED, That the Coordinating Board instructs the Director of the Arkansas Department of Higher Education to distribute the State Minimum Core Curricula to all public colleges and universities.

Citation: [6-61-225-227](#)

STATE MINIMUM CORE CURRICULUM
Southern Arkansas University—Magnolia

English/Communications***

Nine (9) hours required

ENGL	1113	Composition I
ENGL	1123	Composition II
SPCH	1113	Speech

Math

Three (3) hours required from the following:

MATH	1023	College Algebra
MATH	1045	Pre-Calculus Mathematics
MATH	1525	Calculus I

Science

Four (4) hours required from the following:

BSCI	1013/1011	Biological Sciences and Lab
BIOL	1013/1011	Invertebrate Zoology and Lab
BIOL	1023/1021	Vertebrate Zoology and Lab
BIOL	1033/1031	General Botany and Lab

Four (4) hours required from the following:

CHEM	1013/1011	General Chemistry I and Lab
CHEM	1023/1021	University Chemistry I and Lab
CHEM	1133/1131	Chemistry in Society and Lab
PHSC	2023/2021	Physical Sciences and Lab
PHYS	2003/2001	General Physics and Lab
PHYS	2203/2201	University Physics I and Lab
GEOL	1003/1001	Physical Geology and Lab

Fine Arts/Humanities

Six (6) hours required from the following:

ENGL	2213	World Literature I
ENGL	2223	World Literature II
ART	2013	An Introduction to Fine Arts: Art
MUS	2013	An Introduction to Fine Arts: Music
PHIL	2403	Introduction to Philosophy

***Social Sciences**

Nine (9) hours required

Three (3) hours required from the following:

PSCI	2003	American Government
HIST	2013	United States History I
HIST	2023	United States History II

Six (6) hours required from the following:

HIST	1003	World History I
HIST	1013	World History II
HIST	2013	United States History I**
HIST	2023	United States History II**
ECON	2003	Macroeconomics Principles
GEOG	2003	Introduction to Geography
PSCI	2003	American Government
PSYC	2003	General Psychology (either)
SOC	1003	General Anthropology (or)
SOC	2003	Introduction to Sociology

*SAUM requires three (3) to six (6) hours of History and three to six (6) hours of other Social Sciences.

**If not selected to meet the first 3 hours of the social sciences requirement.

***Honors courses are accepted for general education course credit.

Revised: February 2, 2007

STATE MINIMUM CORE CURRICULUM

University of Arkansas, Fayetteville

English/Communications

Six (6) hours required

ENGL	1013	Composition I
ENGL	1023	Composition II

***Math**

Three (3) hours required

MATH	1203	College Algebra
		Any higher-level mathematics course required by major

****Science**

Eight (8) hours required from the following:

ASTR	2003/2001L	Survey of the Universe/Lab
ANTH	1013/1011L	Biological Anthropology/Lab
BIOL	1543/1541L	Principles of Biology/Lab
BIOL	1613/1611L	Plant Biology/Lab
CHEM	1023/1021L	Basic Chemistry for Health Sciences/Lab
CHEM	1103/1101L	University Chemistry I/Lab
CHEM	1123/1121L	University Chemistry II/Lab
CHEM	1053/1051L	Chemistry in the Modern World/Lab
CHEM	1074/1071L	Fundamentals of Chemistry/Lab
CHEM	1213/1211L	Chemistry for Majors I/Lab
CHEM	1223/1221L	Chemistry for Majors II/Lab
GEOL	1113/1111L	General Geology/Lab
GEOL	1133/1131L	Environmental Geology/Lab
PHYS	1023/1021L	Physics & Human Affairs/Lab
PHYS	1044	Physics for Architects I
PHYS	1054	Physics for Architects II
PHYS	2013/2011L	College Physics I/Lab
PHYS	2033/2031L	College Physics II/Lab
PHYS	2054/2050L	University Physics I/Lab
PHYS	2074/2070L	University Physics II/Lab

****Science (continued)**

BIOL	1603/1601L	Principles of Zoology/Lab	
BIOL	2443/2441L	Human Anatomy/Lab	
BIOL	2213/2211L		Human Physiology/Lab

*****Fine Arts/Humanities**

Six (6) hours required; Three (3) hours required from two (2) categories:

Fine Arts

(a) The following courses:

ART	1003	Art Studio
ARCH	1003	Architecture Lecture
ARHS	1003	Art Lecture
COMM	1003	Film Lecture
DANC	1003	Basic Course in the Arts: Movement and Dance
DRAM	1003	Theater Lecture
LARC	1003	The American Landscape
MLIT	1003	Music Lecture
HUMN	1003	Introduction to the Arts and Aesthetics

Humanities

(b) The following courses:

PHIL	2003	Introduction to Philosophy
PHIL	2103	Introduction to Ethics
PHIL	2203	Logic
PHIL	3103	Ethics and the Professions

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Humanities (continued)

c) The following courses:

WLIT	1113	World Literature I
WLIT	1123	World Literature II
CLST	1003	Introduction to Classical Studies: Greece
CLST	1013	Introduction to Classical Studies: Rome
HUMN	1124H	Honors Equilibrium of Cultures, 500 to 1600
HUMN	2124H	Honors 20 th Century Global Culture

(d) The following courses:

Any foreign		
language	2003	Intermediate Language I
HUMN	2003	Introduction to Gender Studies

*****Social Sciences**

Three (3) hours required from the following:

HIST	2003	History of the American People to 1877
HIST	2013	History of the American People, 1877 to Present
PLSC	2003	American National Government

Nine (9) hours required

Three (3) hours required from two (2) areas:

AGEC	1103	Principles of Agricultural Microeconomics
AGEC	2103	Principles of Agricultural Macroeconomics
ANTH	1023	Introduction to Cultural Anthropology
ECON	2013	Principles of Macroeconomics
ECON	2023	Principles of Microeconomics
ECON	2143	Basic Economics - Theory and Practice

GEOG	1123	Human Geography
GEOG	2023	Economic Geography
GEOG	2103	Emerging Nations

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*****Social Sciences (continued)**

Three (3) hours required from two (2) areas:

GEOG	2203	Developed Nations
HESC	1403	Life Span Development
HESC	2413	Family Relations
HIST	2003	History of the American People to 1877****
HIST	2013	History of the American People, 1877 to Present****
HIST	1113	<i>Institutions and Ideas of World Civilizations I</i>
HIST	1113H	Honors World Civilization I
HIST	1123	<i>Institutions and Ideas of World Civilizations II</i>
HIST	1123H	Honors World Civilization II
HUMN	1114H	Honors Roots of Culture to 500 CE
HUMN	2114H	Honors Birth of Culture, 1600-1900
PLSC	2003	American National Government
PLSC	2013	Introduction to Comparative Politics
PLSC	2203	State and Local Government
PSYC	2003	General Psychology
RSOC	2603	Rural Sociology
SOCI	2013	General Sociology
SOCI	2033	Social Problems
WCIV	1003	Western Civilization I
WCIV	1013	Western Civilization II

* Some students majoring in math, engineering, science, and Business may be required to take a higher math as part of the State Minimum Core.

** Some students majoring in math, engineering, science, education, and health-related professions may be required to take higher or specific science courses as part of the State Minimum Core.

*** Some students majoring in engineering may be required to take either six hours of humanities or social sciences at the junior/senior-level or substitute an additional

six hours of higher math and/or additional science as part of the State Minimum Core.

**** If not selected to meet the first 3 hours of the social sciences requirement.

Revised: February 2, 2007

STATE MINIMUM CORE CURRICULUM
University of Arkansas - Fort Smith

English/Communications

Six (6) hours required from the following:

ENGL	1203	Freshman English I
ENGL	1213	Freshman English II OR
ENGL	1223	Technical Composition

		OR the Honors Track:
ENGL	1233	Honors Composition
ENGL	2863	Advanced Composition

Three (3) hours required

SPCH	1203	Introduction to Speech Communication
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***Math**

Three (3) hours required from the following:

MATH	1303	College Mathematics
MATH	1403	College Algebra or <i>Math with College Algebra as a prerequisite</i>

***Science**

Eight (8) hours required from the following:

BIOL	1154	Biological Science
BIOL	1524	Anatomy and Physiology
BIOL	1534	Anatomy and Physiology II
BIOL	2304	General Botany
BIOL	2504	General Microbiology
BIOL	2704	General Zoology
CHEM	1304	Chemical Principles

CHEM	1314	Organic Physiological Chemistry
CHEM	1404	College Chemistry I
CHEM	1414	College Chemistry II

University of Arkansas - Fort Smith
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GEOL	1254	Physical Geology
PHSC	2654	Earth Science
PHSC	2754	Physical Science
PHYS	2784	Physics Concepts and Applications
PHYS	2803/2811	College Physics I/Lab
PHYS	2823/2831	College Physics II/Lab
PHYS	2903/2911	Engineering Physics I/Lab
PHYS	2923/2911	<i>Engineering Physics II/Lab</i>

Fine Arts/Humanities

Six (6) hours required

Three (3) hours from the following:

ART	2863	Survey of Art History I
ART	2873	Survey of Art History II
HUMN	2563	Humanities Through the Arts
MUSI	2763	Music Appreciation

Three (3) hours from the following:

ENGL	2783	American Literature to 1865
ENGL	2793	American Literature 1865 to Present
ENGL	2803	World Literature to 1750
ENGL	2813	World Literature 1750 to Present
PHIL	2753	Introduction to Philosophy

University of Arkansas - Fort Smith

Social Sciences

Nine (9) hours required

Three (3) hours required from the following:

HIST	2753	United States History I
HIST	2763	United States History II
POLS	2753	American National Government

Six (6) hours required from the following:

HIST	1123	Civilizations of the World to 1500
HIST	1133	Civilizations of the World Since 1500
HIST	1163	Survey of Western Civilization I
HIST	1173	Survey of Western Civilization II
HIST	2753	United States History I**
HIST	2763	United States History II**
POLS	2753	American National Government**
GEOG	2753	World Regional Geography
PSYC	1163	General Psychology
ANTH	2803	Cultural Anthropology
SOCI	2753	Introduction to Sociology
ECON	2803	Principles of Macroeconomics
ECON	2813	Principles of Microeconomics

* Some students majoring in math, engineering, technology, science, education, and health-related professions may be required to take higher or specific math and science courses as part of the State Minimum Core.

** If HIST 2753/HIST 2763 or POLS 2753 is selected to meet the requirement for U.S History/Government, the course may not be used to meet the additional six-hour requirement for Social Science.

Revised: February 2, 2007

STATE MINIMUM CORE CURRICULUM
University of Central Arkansas

English/Communications

Six (6) hours required

WRTG 1310 Introduction to College Writing **or** *Honors Core I*
HONC 1310

WRTG 1320 Academic Writing **or** *Honors Core II*
HONC 1320

Mathematics

Three (3) hours required

MATH 1360 *Math for General Education*
MATH 1390 College Algebra **or**
A higher level mathematics course for which
College Algebra is a prerequisite

Science

Eight (8) hours required

Four (4) hours from the following:

BIOL 1400 Biology for General Education
BIOL 1440 Principles of Biology I

Four (4) hours from the following:

CHEM 1400 Chemistry in Society
CHEM 1450 College Chemistry I
CHEM 1402 Physiological Chemistry I
PHYS 1400 Physical Science for General Education
PHYS 1401 Descriptive Astronomy
PHYS 1405 Applied Physics
PHYS 1410 College Physics I
PHYS 1441 University Physics

Fine Arts/Humanities

Six (6) hours required

Three (3) hours from the following:

ART	2300	Art Appreciation	
MUS	2300	Music Appreciation	
THEA	2300	Theatre Appreciation	
	HONC 2320		Honors Core IV
MCOM	2310	Film Appreciation	

Three (3) hours from the following:

ENGL	1330	Introduction to African/African American Studies
ENGL	2305	World Literature I
ENGL	2306	World Literature II
ENGL	2370	Introduction to Fiction
ENGL	2380	Introduction to Poetry
ENGL	2390	Introduction to Drama
WLAN	2315	Cultural Studies
WLAN	2325	Issues of Cultural Identity in Francophone <i>Africa</i> & the Caribbean
FYFS	1301	First Year Seminar: Studies in Humanities
FYFS	1310	First Year Seminar: Studies in World Cultural Traditions
HONC	1310	Honors Core I
HONC	2310	Honors Core III
PHIL	1301	Philosophy for Living
PHIL	2305	Critical Thinking
PHIL	2325	Contemporary Moral Problems
PHIL	2360	Gender, Race, and Class: Philosophical Issues
RELG	1320	World Religions
ENGL	1350	Introduction to Literature
FREN	2320	French Conversation & Composition II
GERM	2320	German Conversation & Composition II
SPAN	2320	Spanish Conversation & Composition II
RELG	1330	Exploring Religion
PHIL	1330	World Philosophies
WLAN	2350	World Languages (cross-listed as WRTG 2350)

Social Sciences

Twelve (12) hours required

Three (3) hours from the following:

HIST	2301	American Nation I
HIST	2302	American Nation II
PSCI	1330	US Government and Politics

Three (3) hours from the following:

HIST	1310	World History I
HIST	1320	World History II

Six (6) hours from the following:

ECON	1310	Modern Political Economy
GEOG	1305	Principles of Geography
	<i>HONC 1320</i>	
PSCI	1330	US Government and Politics
PSCI	2300	Introduction to International Relations
PSYC	1300	General Psychology
SOC	1300	Principles of Sociology
SOC	1302	Anthropology
ECON	2310	Global Environment of Business
GEOG	1300	<i>Geography of World Regions</i>

Honors Core II

Revised: February 2, 2007

STATE MINIMUM CORE CURRICULUM

Arkansas State University—Beebe

English/Communications

Nine (9) hours required

ENG	1003	Freshman English I
ENG	1013	Freshman English II
SPCH	1203	Oral Communications

Math

Three (3) hours required

MATH	1023	College Algebra
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Science

Eight (8) hours required from the following:

BIOL	1004	Biological Science
PHSC	1204	Physical Science
PHSC	1304	Earth Science
BOT	1104	General Botany
BIOL	2024	Ecology
BIOL	2104	Microbiology
ZOOL	1304	General Zoology I
ZOOL	1314	General Zoology II
ZOOL	2004	Human Anatomy and Physiology I
ZOOL	2014	Human Anatomy and Physiology II
CHEM	1014	General Chemistry I
CHEM	1024	General Chemistry II
PHYS	1014	Applied Physics for Health Science
PHYS	2054	General Physics I
PHYS	2064	General Physics II
PHYS	2074	University Physics I
PHYS	2084	University Physics II

Fine Arts/Humanities

Three (3) hours required from the following:

ART	2503	Fine Arts—Visual
MUS	2503	Fine Arts—Musical
THEA	2503	Fine Arts—Theatre
HUM	2003	Introduction to Humanities I: Greece and Rome
HUM	2013	Introduction to Humanities II: Europe

Three (3) hours required from the following:

ENG	2003	World Literature I
ENG	2013	World Literature II

Social Sciences

Three (3) hours required from the following:

HIST	2763	The United States to 1876
HIST	2773	The United States since 1876
POSC	2103	<i>Introduction to United States Government</i>

Three (3) hours required from the following:

HIST	1013	World Civilization to 1660
HIST	1023	World Civilization since 1660

Three (3) hours required from the following:

*HIST	1013	World Civilization to 1660
*HIST	1023	World Civilization since 1660
GEOG	2613	Introduction to Geography
GEOG	2603	World Regional Geography
SOC	2213	<i>Principles of Sociology</i>
PSY	2013	<i>Introduction to Psychology</i>
*HIST	2763	The United States to 1876
*HIST	2773	The United States since 1876
*POSC	2103	<i>Introduction to United States Government</i>

*If not selected to meet U.S. History/Government or other Social Sciences requirement.

Revised: February 2, 2007

STATE MINIMUM CORE CURRICULUM
Cossatot Community College of the University of Arkansas

English/Communications

Nine (9) hours required

ENGL	1113	Composition I
ENGL	1123	Composition II
SPCH	1113	Principles of Speech

Math

Three (3) hours required from the following:

MATH	1023	College Algebra
MATH	2043	Trigonometry & Analytic Geometry

Science

Four (4) hours required from the following:

BIOL	1014	General Biology w/lab
BIOL	1024	General Botany w/lab
BIOL	1034	General Zoology w/lab
BIOL	2064	Anatomy & Physiology I
BIOL	2074	Anatomy & Physiology II
BIOL	2094	General Microbiology

Four (4) hours required from the following:

ASTR	1014	Introduction to Astronomy
CHEM	1014	General Chemistry
CHEM	1024	University Chemistry I
CHEM	2024	Organic Physiological Chemistry
PHYS	2024	Physical Science
PHYS	2044	College Physics

Fine Arts/Humanities

Three (3) hours from the following:

ENGL	2213	World Literature I
ENGL	2223	World Literature II

Fine Arts/Humanities (continued)

Three (3) hours from the following:

FA	2003	Introduction to Fine Arts: Art
FA	2013	Introduction to Fine Arts: Music
PHIL	2003	Introduction to Philosophy

Social Sciences

Three (3) hours from the following:

HIST	2013	U.S. History to 1876
HIST	2023	U.S. History Since 1876
PSCI	2003	American Government

Three (3) hours from the following:

HIST	1003	Western Civilization to 1700
HIST	1013	Western Civilization Since 1700

Three (3) hours from the following:

PSYC	2003	General Psychology
SOC	2003	Introduction to Sociology
GEOG	2003	Introduction to Geography
ECON	2003	Macroeconomics
ECON	2103	Microeconomics
SOC	2033	Sociology of Marriage & Family
PSYC	2033	Developmental Psychology
HIST	1113	Arkansas History

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STATE MINIMUM CORE CURRICULUM

East Arkansas Community College

English/Communications

Nine (9) hours required

ENG	1013	English Composition I
ENG	1023	English Composition II
SPE	1003	Introduction to Communication

Math

Three (3) hours required

MTH	1113	College Algebra
MTH	1013	College Mathematics
		Any higher level mathematics course for which College Algebra is a prerequisite

Science

Four (4) hours required from the following:

BIO	1014	General Biology
BIO	1614	General Zoology
BIO	2114	Anatomy and Physiology I
BIO	2134	Anatomy and Physiology II
BIO	2504	Microbiology

Four (4) hours required from the following:

CHE	1024	General Education Chemistry
CHE	1214	College Chemistry I
PHS	1214	Physical Science I
PHY	2114	General Physics

East Arkansas Community College
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Three (3) hours required from the following:

ENG	2073	World Literature I
ENG	2083	World Literature II
ENG	2183	Western Literature I
ENG	2283	Western Literature II
ENG	2193	British Literature I
ENG	2293	British Literature II
ENG	2243	American Literature Before 1865
ENG	2253	American Literature After 1865
ENG	2093	Survey of Black American Literature

Three (3) hours required from the following:

ART	1003	Art Appreciation
MUS	1003	Music Appreciation
DRA	1003	Theatre Appreciation

***Social Sciences**

Three (3) hours required from the following:

HIS	1013	Western Civilization I
HIS	1023	Western Civilization II

Three (3) hours required from the following:

HIS	2033	United States History before 1865
HIS	2043	United States History since 1865
PCS	2003	American Government

Three (3) hours required from the following:

PSY	1003	General Psychology
SSC	1003	Introduction to Social Science
SOC	1013	Introduction to Sociology
SOC	2043	Introduction to Anthropology

Social Sciences (continued)

SOC	2003	Social Problems
PSC	2003	American Government
BUS	2213	Principles of Macroeconomics
HIS	2033	United States History before 1865
HIS	2043	United States History since 1865
HIS	1013	Western Civilization I
HIS	1023	Western Civilization II

*No more than six (6) hours of history will count toward satisfying the Social Science requirement and no more than three (3) hours of economics will count toward satisfying the Social Science requirement.

Revised: February 2, 2007

STATE MINIMUM CORE CURRICULUM
Ouachita Technical College

English/Communications

Nine (9) hours required

ENGL	1113	Composition I
ENGL	1213	Composition II
COMM	2113	Oral Communication

Math

Three (3) hours required

MATH	1143	College Algebra or
MATH	1153	Mathematics for Liberal Arts or
		Any higher level mathematics requiring College Algebra as a prerequisite

Science

Four (4) hours required

BIOL	1124	Introduction to Biology
BIOL	2114	General Botany
BIOL	2124	General Zoology

Four (4) hours required

CHEM	1004	Chemistry I for General Education
CHEM	1214	General Chemistry I
CHEM	1224	General Chemistry II
PHYC	1124	Introduction to Physics

Fine Arts/Humanities

Three (3) hours required

PHIL	2113	Introduction to Philosophy
ENGL	2213	World Literature I
ENGL	2223	World Literature II

Ouachita Technical College
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Fine Arts/Humanities (continued)

Three (3) hours required

HUMN	2113	Humanities: Art
HUMN	2123	Humanities: Music
HUMN	2133	Humanities: Theater

Social Sciences

Three (3) hours required

GOVT	1113	American National Government
HIST	2113	U.S. History through 1865
HIST	2123	U.S. History since 1865

Three (3) hours required

HIST	1113	Civilization through 16 th Century
HIST	1123	Civilization since 16 th Century

Three (3) hours required

ECON	2113	Principles of Macroeconomics
ECON	2213	Principles of Macroeconomics
GEOG	1113	Geography
PSYC	1113	General Psychology
SOCI	1113	Introduction to Sociology

Revised: February 2, 2007

STATE MINIMUM CORE CURRICULUM

Phillips Community College of the University of Arkansas

English/Communications

Nine (9) hours required from the following:

EH	113	Freshman English I
EH	123	Freshman English II
SP	243	Fundamentals of Speech

Math

Three (3) hours required from the following:

MS	123	College Algebra
MS	133	Trigonometry
MS	215	Calculus I

Science

Four (4) hours required from the following:

BY	114	General Biology I
BY	124	General Biology II
BY	134	Zoology
BY	144	Botany
BY	154	Anatomy and Physiology I
BY	164	Anatomy and Physiology II

Four (4) hours from the following:

CY	114	General Chemistry I
CY	124	General Chemistry II
PS	114	Physical Science
PS	215	General Physics
PS	225	General Physics
PS	235	General Tech Physics I
PS	245	General Tech Physics II

Phillips Community College of the University of Arkansas
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Fine Arts/Humanities

Three (3) hours required from the following:

EH	233	World Literature I
EH	243	World Literature II

Three (3) hours from the following:

EH	233	World Literature I
EH	243	World Literature II
EH	263	African American Literature
FA	213	Fine Arts
FA	223	Fine Arts
MSC	223	Music Appreciation
PHIL	153	Introduction to Philosophy
SP	123	Introduction to Theatre

Social Sciences

Three (3) hours required from the following:

HY	213	United States History to 1877
HY	223	United States History since 1877
PLS	213	American Federal Government

Six (6) additional hours required from the following:

ES	213	Principles of Macroeconomics
ES	223	Principles of Microeconomics
GEOG	213	Introduction to Geography
HY	113	History of Western Civilization to 1600

HY	123	History of Western Civilization since 1600
HY	153	Arkansas History
HY	223	United States History since 1877
PLS	223	State and Local Government
PSY	213	General Psychology
SY	213	Fundamentals of Sociology

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STATE MINIMUM CORE CURRICULUM

Rich Mountain Community College

English/Communications

Nine (9) hours required from the following:

ENG	113	English Composition I
ENG	123	English Composition II
SPC	203	Oral Communications

Math

Three (3) hours required from the following:

MATH	203	College Algebra Any higher-level mathematics course for which College Algebra is a prerequisite
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Science

Four (4) hours required from the following:

BIO	104	Biological Science
BIO	134	Anatomy and Physiology I
BIO	144	Anatomy and Physiology II
BIO	204	Microbiology and Immunology
BIO	214	General Zoology
BIO	224	General Botany

Four (4) hours required from the following:

CHM	114	General Chemistry I
CHM	134	Principles of Chemistry
PHS	214	General Physics I

PSC	104	Earth Science
PSC	114	Physical Science

Fine Arts/Humanities

Six (6) hours required

Three (3) hours required from the following:

ENG	223	World Literature I
ENG	233	World Literature II

Rich Mountain Community College

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Fine Arts/Humanities (continued)

Three (3) hours required from the following:

ART	143	Art Appreciation
DRA	203	Theatre Arts
*ENG	223	World Literature I
*ENG	233	World Literature II
ENG	243	American Literature I
ENG	253	American Literature II
ENG	283	Creative Writing
HUM	203	Humanities through the Arts
MUS	203	Music Appreciation
PHI	203	Philosophy

Social Sciences

Three (3) hours required from the following:

HIS	213	United States History I
HIS	223	United States History II
PSI	103	American National Government

Six (6) hours required from the following:

CRJ	103	Introduction to Criminal Justice
CRJ	133	Juvenile Crime and Delinquency
GEO	103	Regional Geography of the World
GEO	223	Global Studies
HIS	113	Western Civilization I

HIS	123	Western Civilization II
PSY	203	General Psychology
PSY	213	Developmental Psychology
PSY	223	Abnormal Psychology
SOC	103	Introduction to Sociology
SOC	113	Social Problems
SOC	133	Social Marriage and the Family
**HIS	213	United States History I
**HIS	223	United History II
HIS	233	Arkansas History
**PSI	103	American National Government

* If not selected to meet literature requirement.

** If not selected to meet U.S. History/Government requirement.

Revised: February 2, 2007

STATE MINIMUM CORE CURRICULUM

Southern Arkansas University—Tech

English/Communications

Nine (9) hours required

ENGL	1113	Composition I
ENGL	1123	Composition II
SPCH	1113	Principles of Speech

Math

Three (3) hours required from the following:

MATH	1023	College Algebra
MATH	1525	Calculus and Analytic Geometry I

Science

Four (4) hours required

BSCI	1013	The Biological Sciences
BSCI	1011	The Biological Sciences Lab

Four (4) hours required from the following:

PHSC	2023	The Physical Sciences
PHSC	2021	The Physical Sciences Lab

PHYS	2003	General Physics I
PHYS	2001	General Physics Lab

Fine Arts/Humanities

Three (3) hours required from the following:

ENGL	2213	World Literature I
ENGL	2223	World Literature II

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Fine Arts/Humanities (continued)

Three (3) hours from the following:

ART	2013	Art Appreciation
HU	2013	Humanities through the Arts
MUS	2013	Music Appreciation
PHIL	2403	Introduction to Philosophy

Social Sciences

Three (3) hours required from the following:

HIST	1003	World History I
HIST	1013	World History II

Three (3) hours required from the following:

HIST	2013	United States History I
HIST	2023	United States History II
PSCI	2003	American Government: National

Three (3) hours required from the following:

GEOG	2003	Introduction to Geography
PSYC	2003	General Psychology
SOC	2003	Introduction to Sociology

Revised: February 2, 2007

STATE MINIMUM CORE CURRICULUM
University of Arkansas Community College at Hope

English/Communications

Nine (9) hours required

ENGL	1013	Composition I
ENGL	1023	Composition II
SPCH	1313	Speech

Math

Three (3) hours required

MATH	1053	College Algebra
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Science

Eight (8) hours required from the following:

BIOL	1204	Biology
BIOL	1244	General Botany
BIOL	1254	Zoology
BIOL	2214	Anatomy and Physiology I
BIOL	2224	Anatomy and Physiology II
BIOL	2234	Microbiology
CHEM	1004	Introduction to Chemistry
CHEM	1114	General Chemistry I
CHEM	1124	General Chemistry II
PHSC	1024	Physical Science

Fine Arts/Humanities

Six (6) hours required

ARTS	2003	Art Appreciation
DRAM	2003	Introduction to Theatre Arts
ENGL	2103	Literature to the Renaissance
ENGL	2113	Literature since the Renaissance

University of Arkansas Community College at Hope
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Fine Arts/Humanities (continued)

MUSI	2103	Music Appreciation
PHIL	2003	Philosophy

Social Sciences

Nine (9) hours required

Three (3) hours required from the following:

HIST	2013	History of U.S. to 1876
HIST	2023	History of U.S. since 1876
PLSC	2103	American Government: National

Six (6) hours required from the following:

CRJU	1203	Introduction to Criminal Justice
GEOG	2203	Introduction to Geography
HIST	1003	Western Civilization to 1660
HIST	1013	Western Civilization since 1660
PSY	2303	General Psychology
PSYC	2313	Developmental Psychology
SOCI	2413	Sociology

Revised: February 2, 2007

ARKANSAS ASSESSMENT OF GENERAL EDUCATION

The 1993 session of the Arkansas General Assembly addressed a statewide concern for accountability in higher education by enacting several new statutes. Act 874 requires the adoption or development of a single standardized test to be administered annually to all college sophomores to assess their learning in the general education core curriculum, with implementation required by the end of the 1994-95 academic year. The law also requires that ADHE staff develop policies and procedures for the implementation of this "rising junior test" and that the test have its initial administration by spring 1995. The law further specifies that use of this test is a condition for each institution to receive state funding.

A committee of college and university representatives has met several times in the last eight months with ADHE staff to confer with representatives from companies which publish tests of general education, to develop criteria for the "rising junior test," and to propose procedures for the implementation and administration of the test. Their recommendations were presented to the presidents and chancellors in a March 3, 1993, meeting. In addition, the committee's recommendations were circulated to all campuses in March.

Act 874 of 1993 builds on Act 98 of 1989, which required the implementation of a state minimum core of general education and the assessment of the learning achieved in the general education core curriculum. State Board policy implementing Act 98 has been incorporated into the proposed policy with only minor modifications.

The recommendations of the committee and ADHE staff include a set of test descriptors or criteria, an overall plan for implementing assessment of general education, and the administration of the selected test. These policies will form the basis for an Invitation for Bids (IFB) to various test vendors.

On April 24, 1994, the State Board of Higher Education approved the following resolution (Agenda Item No. 38):

RESOLVED, That the State Board of Higher Education adopts the amended Guidelines for the Arkansas Assessment of General Education included in the agenda item.

FURTHER RESOLVED, That the State Board repeals the Guidelines on Institutional Plans for Assessment of the State Minimum Core approved at the November 15, 1990, SBHE meeting (Agenda Item No. 6).

FURTHER RESOLVED, That the State Board instructs the Director to notify all public higher education institutions that these Guidelines replace the Guidelines on Institutional Plans for Assessment of the State Minimum Core approved at the November 15, 1990, SBHE meeting (Agenda Item No. 6).

FURTHER RESOLVED, That the State Board instructs the Director to take appropriate actions to select the examination which will hereinafter be referred to as the Arkansas Assessment of General Education (AAGE).

FURTHER RESOLVED, That the State Board instructs the Director of Higher Education to request that the state institutions of higher education submit revised or new assessment plans based on these guidelines for review by the Arkansas Department of Higher Education by January 15, 1995.

FURTHER RESOLVED, That by November 1, 1995, and annually thereafter, each institution may submit a proposal for revision of that institution's plan for assessment of student learning in the state minimum core.

Citation: [6-61-111](#)

GUIDELINES FOR THE ARKANSAS ASSESSMENT OF GENERAL EDUCATION

Introduction

The rising junior test, hereinafter referred to as the Arkansas Assessment of General Education (AAGE), will provide data for use in the following ways: (a) as a basis for incentive funding to promote improvement in quality of curriculum and instruction; (b) as one basis, among many, for assessment of student academic achievement, for review of program quality, and for improvement of teaching and learning; and (c) as a basis for reporting statewide results and overall improvements.

Because Act 874 of 1993, which builds on Act 98 of 1989, does not require the testing of Associate of Applied Science students, the instrument selected to assess the general education skills of rising juniors will not be used for A.A.S. students, unless the institution so chooses. Nevertheless, the staff recommends that the Department work with two-year institutions of higher education to identify and implement a test of general education knowledge and skills that will be an appropriate measure of Associate of Applied Science students' learning gains. The staff further recommends that progress on this test be used as a basis for incentive funding for two-year colleges.

I. Criteria for the Instrument Used in the Arkansas Assessment of General Education

The test of general education selected should be designed to measure college-level math, writing, reading, and scientific reasoning skills needed to succeed at the junior level. It should have strong reliability and validity. Its norming should be based on both two-year and four-year college students, and the test should currently be used nationally by both two-year and four-year institutions. The test must include a student motivation indicator and other means of identifying invalid results, such as students who arbitrarily assign answers. The selected test must be capable of correlation with placement tests in use at Arkansas colleges and universities and of providing comparative performance data, including statistically meaningful "value-added" measurements of student learning gains. The publisher of the test must be able to provide a wide range of research and information services to the Arkansas Department of Higher Education, each participating institution, and each student taking the test. Finally, so that cost of testing per student can be kept to a minimum, volume discount is highly desirable.

II. Implementation of the Arkansas Test of General Education

A. Participants in AAGE Testing

1. Two-year colleges. All community and technical college students enrolled in associate degree programs requiring the State Minimum Core of 35 hours are required

to take the Arkansas Assessment of General Education no earlier than accumulating 45 college-level credits (excludes developmental education credits) and no later than completing the college's official application for graduation. Failure to complete this testing requirement will interrupt graduation plans or enrollment at institutions to which students are transferring.

2. Four-year institutions. All students enrolled at four-year colleges and universities in programs requiring the State Minimum Core of 35 hours are required to take the Arkansas Assessment of General Education no earlier than accumulating 45 college-level credits (excludes developmental education credits) and no later than completing 60 college-level credits. Failure to complete this testing requirement will interrupt enrollment at the next registration period.

B. Assessment of General Education Skills and Assessment Plan

1. Testing battery and timing. All students will take all four required components of the testing battery in one sitting, with allowances for necessary breaks, in the following order: mathematics, writing skills (objective), reading, and scientific reasoning. Reasonable accommodations will be made for students with disabilities. Because individual students are not being penalized in any way for the scores achieved on the test, students will be allowed to take the Arkansas Assessment of General Education only once.

2. Institutional plan for assessment of learning in the state minimum core. Each institution of higher education will submit to the Arkansas Department of Higher Education by January 15, 1995, a revised plan or an original plan for the routine assessment of student learning in the state minimum core. Each plan will provide for implementation of the program in the spring of 1995 and will comply with the following provisions (Reference Agenda Item No. 6, November 15, 1990):

--The plan will specify how student achievement, progress, skills, or competence will be assessed in each of the five areas of the State Minimum Core: English/Communication, math, science, fine arts/humanities, and social sciences. Because the Arkansas Assessment of General Education does not assess skills and knowledge in fine arts/humanities and social sciences, the plan should include how these areas will be assessed. During the 1994-95 academic year, a sample of students must be assessed in these areas.

--As part of the plan to measure student achievement, assessment of student writing must be included. Junior writing proficiency exams, nationally standardized essay exams, portfolio assessment using either internal or external evaluators, collection of writing samples in various disciplines, or other similar ways to assess the writing skills of students in actual practice, as opposed to objective tests, will be acceptable. All sophomores must be assessed for their writing ability.

--The plan will identify the assessment measures, techniques, the instruments to be used, and the kinds of information or evidence to be gathered. For areas other than those

assessed by the Arkansas Assessment of General Education, the use of nationally standardized tests is encouraged; but whether nationally normed or locally developed, tests must be uniform for all students taking part in the assessment.

--The plan will outline the expected use of the assessment, with emphasis on improvement in teaching and learning and on the institutional process for evaluating and revising the assessment process.

--The plan will establish a calendar for carrying out the parts of the assessment program and a timetable for student participation.

--The plan may outline broader assessment activities that measure the effectiveness of the institution's academic program.

--The plan will include an estimate of costs to the institution and resources required to implement and sustain the program.

--The plan will identify the office or individual (by title) responsible for administering the assessment program at that campus.

III. Implementation and Administration of Testing

A. Assessment fee. Each institution may implement a standard "Arkansas Assessment Fee" of a maximum of \$5 each registration period to cover the costs of assessment.

B. Transcript information. Each institution will include on each student's transcript a statement indicating that the student has taken the Arkansas Assessment of General Education. The statement will read, "This student has completed the Arkansas Assessment of General Education, as required by state law."

C. Statewide testing times. Students required to take the Arkansas Assessment of General Education will take the test during a statewide testing week each academic term. Testing weeks: second week in November, second week in April, third week (optional) in August. Each institution will administer the test at least three times during the testing week to accommodate students' schedules. In addition, each institution will schedule make-up testing days during the registration period. The initial statewide administration of the AAGE will be during the second week of April 1995.

D. Transferring students. Students who transfer after earning 45 credit hours above the developmental level but fail to take the rising junior test at the sending institution may take the test at the receiving institution; however, the scores will be credited to the sending institution. Students who transfer before earning 45 credit hours above the developmental level will take the test at the receiving institution, which will be credited with the results.

IV. Incentive Funding and Reporting of Results

- A. Incentive funding. Once base-line data are available, incentive funding for assessment results will be based on: (1) exceeding of national averages in at least three of the four test areas (reading, writing, mathematics, and scientific reasoning), (2) improvement over the institutional total score baseline, or (3) a positive change in decile between pre-test and post-test in reading, writing, mathematics, or scientific reasoning. (See Strategies for Improvement, adopted by SBHE on January 28, 1994.)
- B. Reporting of statewide data. Statewide averages and medians on the test battery, value-added movement by test area, institutional averages on the total test and by test area, and institutional value-added movement by test area will be reported to the Arkansas Department of Higher Education by the test publisher.
- C. Data reported to each institution. Each institution will also receive assessment data from the test publisher. Data will include all statewide data reported to ADHE, institutional median and average scores on the total test, and institutional value-added movement on the total test and by test area. It is also suggested that, if possible, institutions receive individual student reports that indicate value-added movement from ACT or ASSET placement test scores to scores on the Arkansas Assessment of General Education.
- D. Data reported to students. Each student will receive a report from the test vendor which will summarize the assessment results on each of the four required tests. It is also suggested that, if possible, each student's report indicate individual value added from ACT or ASSET placement test scores to scores on the various tests of the Arkansas Assessment of General Education.

V. Use of Arkansas Assessment of General Education

A. Intent of AAGE. It is not the intent of SBHE guidelines resulting from Act 874 to require institutions to establish cut-off scores for student performance on the Arkansas Assessment of General Education that would restrict students' progress in their educational programs.

Approved: Agenda Item No. 38
April 29, 1994

REVISION OF FRESHMAN ASSESSMENT AND PLACEMENT PROGRAM

Act 1052 of 1987 mandated a program of student assessment and placement at Arkansas state institutions of higher education beginning with the fall semester of 1988. The mandate for that program was renewed under the provisions of Act 1011 of 1991.

The placement score of a 19 on the ACT sections of reading, math and English composition have been aligned with concordant scores on the Scholastic Aptitude Test (SAT) and two other exams published by American College Testing, Assessment of Skills for Entry and Transfer (ASSET) and Computerized Adaptive Placement and Support System (COMPASS). The last time the concordant scores had been set was in October 1995. Since then ACT has revised the concordances of scores for the ACT and the sections of the COMPASS and ASSET exams.

This agenda item proposes to update the policy in order that the placement scores on the ASSET and COMPASS exams are aligned to the placement score of 19 on the respective ACT sections. There are no changes proposed for the placement scores on the ACT sections of reading, math, or English Composition.

On April 19, 2002, the Higher Education Coordinating Board approved the following resolution (Agenda Item No. 22):

RESOLVED, That the Arkansas Higher Education Coordinating Board adopts the revisions to the policy in this agenda item for the Freshman Assessment and Placement Program beginning with the fall semester 2002.

FURTHER RESOLVED, That the Coordinating Board instructs the Director of the Arkansas Department of Higher Education to notify the presidents and chancellors of all Arkansas public institutions of higher education of this approval.

Citation: [6-61-110](#)

FRESHMAN ASSESSMENT AND PLACEMENT PROGRAM AT STATE COLLEGES AND UNIVERSITIES IN ARKANSAS

The full text of Section 23 of Act 1101 of 1991 (A.C.A. 6-61-110) follows:

All first-time entering freshmen at all state-supported colleges and universities in Arkansas who are admitted to enroll in all associate or bachelor's degree programs shall be tested by the admitting institution for purposes of placement in either college-level credit courses in English and mathematics or remedial courses in English composition, reading, and mathematics. Remedial courses shall not provide credit toward a degree. The State Board of Higher Education shall determine the tests to be used, the testing procedures and exemptions, and minimum scores below which students at all institutions must take remedial courses. The State Board of Higher Education shall base these decisions on consultation with representatives of the institutions of higher education, analysis of the placement procedures presently used by institutions in Arkansas, statewide placement testing programs in other states, and pilot projects involving testing of entering freshmen at selected institutions in Arkansas.

The mathematics, English composition, and reading placement standards contained in this document implement section 23 of Act 1101 of 1991. These standards apply to all first-time-entering undergraduate students, as defined in the Arkansas Higher Education Information System Manual, who enroll in associate or baccalaureate degree programs at state colleges and universities.

MATH

No math course less sophisticated than college algebra may be applied toward a baccalaureate degree from a public university in Arkansas.

Students scoring 19 or above on the mathematics section of the Enhanced ACT*, 460 or above on the quantitative portion of recentered SAT**, 39 or above on the ASSET***, Intermediate Algebra, or 41 percent or above on the COMPASS****, algebra test may enroll in college-level mathematics courses. Students not meeting the standard must successfully complete a developmental (pre-college level) mathematics program or programs, demonstrating achievement at least as sophisticated as intermediate algebra, in order to be placed in college-level mathematics courses.

ENGLISH COMPOSITION

Students scoring 19 or above on the English section of the Enhanced ACT, 470 or above on verbal SAT, 45 or above on the ASSET Writing Skills test, or 75 percent or above on the COMPASS Writing test may enroll in college-level English courses. Students not meeting the standard shall successfully complete a developmental program or programs in English composition before being awarded credit for freshman English.

Freshman English may be taken concurrent with or subsequent to any required developmental composition program.

READING

Students scoring 19 or above on the Reading Section of the Enhanced ACT, 470 or above on the verbal section of the recentered SAT, 43 or above on the ASSET Reading skills test or 82 percent or above on COMPASS Reading Skills will be considered to have met minimal reading skill requirements. Students not meeting the standard shall enroll in a developmental program in reading during their first or second semester in college and each subsequent semester, if necessary, until the program is successfully completed.

Note: The above designated scores are statewide minimum scores. The board and administration of any campus may elect to set higher minimum scores.

- * American College Testing Program's Enhanced ACT Assessment Test
- ** College Board's Recentered Scholastic Aptitude Test
- *** American College Testing Program's Assessment of Skills for Successful Entry and Transfer
- **** American College Testing Program's COMPASS Placement and Diagnostic Tests.

Adopted: Agenda Item No. 9
October 13, 1989

Revised: Agenda Item No. 27
October 20, 1995

Revised: Agenda Item No. 22
April 19, 2002

AMENDMENT OF FRESHMAN ASSESSMENT AND PLACEMENT POLICY

Act 1052 of 1987 mandated a program of student assessment and placement at Arkansas state institutions of higher education beginning with the fall semester of 1988. The mandate for a student assessment and placement program was renewed under the provisions of Act 1011 of 1991 (Arkansas Code Annotated § 6-61-110), Act 971 of 2009, and Act 899 of 2011.

There is not a change in the statewide minimum placement score of a 19 on the ACT sections of reading, mathematics, and English composition which is aligned with concordant scores on the Scholastic Aptitude Test (SAT) and two other exams published by American College Testing (ACT), Assessment of Skills for Entry and Transfer (ASSET) and Computerized Adaptive Placement and Support System (COMPASS). However, the concordant scores have been updated based on ACT data published in June 2008 and February 2010. The statewide minimum placement score applies to first-time undergraduate students, as defined in the Arkansas Higher Education Student Information System Manual, who enroll in associate or baccalaureate degree programs at Arkansas public colleges and universities; and to any student who enrolls in college-level courses in English composition and college algebra or other comparable mathematics general education core course. The board and administration of any campus may elect to set higher minimum placement scores for reading, mathematics and English composition.

This agenda item proposes to amend Board policy to provide guidelines for measurable exit standards for a student success plan that includes developmental (pre-college level) courses in mathematics, English composition, and reading for student placement and for successful completion of the corresponding initial college-level courses; and to provide guidelines that allow an appropriate college-level applied technical mathematics course to be accepted toward associate degrees in career and technical areas.

ADHE Executive Staff Recommendation

RESOLVED, That the Arkansas Higher Education Coordinating Board adopts the amendment of AHECB policy 5.8-Freshman Assessment and Placement Program as outlined in this agenda item beginning Fall 2012.

FURTHER RESOLVED, That the Coordinating Board instructs the Director of the Arkansas Department of Higher Education to notify the presidents and chancellors, chief academic officers, chief student affairs officers, and institutional research officers of all Arkansas public institutions of higher education of this approval.

FURTHER RESOLVED, That the Board instructs the Director to collect student data from the institutions and include data on student success in the student remediation and progression reports currently submitted to the Coordinating Board beginning in 2015.

**FRESHMAN ASSESSMENT AND PLACEMENT PROGRAM
AT ARKANSAS STATE-SUPPORTED COLLEGES AND UNIVERSITIES**

Arkansas Code Annotated § 6-61-110

A first-time entering freshman at a state-supported institution of higher education who is admitted to enroll in an associate or a bachelor's degree program shall be tested by the admitting institution for purposes of placement in either college-level credit courses in English and mathematics or remedial courses in English composition, reading, and mathematics. Remedial courses shall not provide credit toward a degree.

The Arkansas Higher Education Coordinating Board shall determine the test or other criteria to be used; testing procedures and exemptions; minimum scores or criteria below which students at all state-supported institutions of higher education must take remedial courses; and minimum scores or criteria to allow simultaneous enrollment in college-level credit and remedial courses. The Board shall base these decisions on consultation with representatives of the state-supported institutions of higher education; analysis of the placement procedures presently used by institutions in the state; statewide placement testing programs in other states; and pilot projects involving testing of entering freshmen at selected institutions in the state.

The Board, in collaboration with state-supported institutions of higher education, shall develop by institution uniform measurable exit standards for remedial courses that are comparable to the ACT or SAT equivalent required for college-level enrollment in credit courses to be implemented no later than the fall semester of 2010. The Board shall work with state-supported institutions of higher education to develop innovative alternatives to traditional instruction and delivery methods for remedial courses; and provide professional development opportunities to help remedial education faculty gain knowledge in best practices and trends in the instruction and delivery of remedial education.

Statewide Minimum Placement Scores

The mathematics, English composition, and reading placement standards contained in this policy implement Arkansas Code Annotated § 6-61-110. These standards apply to first-time undergraduate students, as defined in the Arkansas Higher Education Student Information System Manual, who enroll in associate or baccalaureate degree programs at Arkansas public colleges and universities; and to any student who enrolls in college-level courses in English composition and college algebra or other comparable college-level mathematics course. A college or university may allow simultaneous enrollment in college-level credit and developmental courses. The board and administration of any campus may elect to set higher minimum scores for enrollment in college-level mathematics and English composition courses. A student must submit the ACT or comparable exam scores to the institution for purposes of admission and course placement.

MATHEMATICS

A comprehensive mathematics course such as college algebra, college mathematics, college statistics, *quantitative literacy/reasoning or higher-level, college mathematics course may be applied toward an **associate or baccalaureate degree from a state-supported college or university in Arkansas. Any mathematics course used to meet the 35-credit hour state minimum general education core requirement for the associate or bachelor's degree must be approved for inclusion in the Arkansas Course Transfer System (ACTS). Some college mathematics courses may not be accepted toward degree majors in science, technology, engineering and mathematics (STEM).

Students scoring 19 or above on the mathematics section of the Enhanced ACT, 460 or above on the math portion of recentered SAT, 39 or above on the ASSET Intermediate Algebra test, or 41 or above on the COMPASS Algebra test may enroll in a college-level mathematics course. (Beginning Fall 2013, students scoring 36 or above on the COMPASS Algebra test may be placed in college mathematics courses for non-STEM majors; with a score of 41 or above used for placement in college algebra and higher-level, college mathematics courses with college algebra as a prerequisite course.) Students with a state minimum score on an approved state +common core assessment for college readiness, or who successfully complete a state approved ++college transition course in mathematics literacy with a state minimum score also may enroll in a college-level mathematics course. Students not meeting the standard must successfully complete a developmental (pre-college level) mathematics course or state approved student success plan, demonstrating achievement in intermediate algebra or other appropriate pre-college level mathematics course, for enrollment in a college-level mathematics course or simultaneous enrollment in a college-level and a developmental course (or course modules) in mathematics.

*A quantitative literacy/reasoning course currently is under development and will be piloted by 5 Arkansas universities in 2012-13. This course will be listed in the Arkansas Course Transfer System (ACTS) as a college mathematics course during the pilot period which will guarantee course transfer. ADHE will review the pilot results and, in consultation with math faculty at 4-year and 2-year institutions, determine if the quantitative literacy/reasoning course description and learning objectives can be included in ACTS beginning Fall 2013 which would allow all Arkansas colleges and universities to develop the course as a general education core course guaranteed for transfer.

**An appropriate non-remedial, college-level applied technical mathematics course may be accepted toward an associate degree in a career or technical area with the course placement determined using a state minimum math sub-score of 16 or above on the ACT, or comparable score on the COMPASS Algebra test [*21 or above*] or ASSET Intermediate Algebra test [*31 or above*], or determined using state approved enrollment criteria for ability-to-benefit. (Arkansas Code Annotated § 6-61-134) The non-remedial, college-level applied technical mathematics course accepted toward career and technical associate degree programs will not meet the mathematics course requirement for the 35-credit hour state minimum general education core unless this mathematics course (description and learning objectives) is approved for inclusion in the Arkansas Course Transfer System. Typically, career and technical associate degree programs are not designed for transfer to bachelor's degrees without an articulation agreement between institutions.

ENGLISH COMPOSITION

Students scoring 19 or above on the English section of the Enhanced ACT, 470 or above (and beginning Fall 2013 scoring 450 or above) on writing SAT, 45 or above on the ASSET Writing Skills test, or 75 or above (and beginning Fall 2013 scoring 80 or above) on the COMPASS Writing Skills test may enroll in college-level English composition courses. Students with a state minimum score on an approved state +common core assessment for college readiness, or who successfully complete a state approved +college transition course in literacy also may enroll in a college-level English composition course. Students not meeting the standard shall successfully complete a developmental course in English composition or state approved student success plan before being awarded credit for freshman English.

A freshman English composition course may be taken simultaneously with a required developmental composition course (or course modules). Any English composition/ writing course used to meet the 35-credit hour state minimum general education core requirement for the associate or bachelor's degree must be approved for inclusion in the Arkansas Course Transfer System.

READING

Students scoring 19 or above on the Reading Section of the Enhanced ACT, 470 or above on the reading section of the recentered SAT, 43 or above on the ASSET Reading skills test or 82 or above (and beginning Fall 2013 scoring 83 or above) on COMPASS Reading Skills will be considered to have met minimal reading skill requirements. Students with a state minimum score on an approved state +common core assessment for college readiness, or who successfully complete a state approved +college transition course in literacy also will be considered to have met minimal reading skill requirements. Students not meeting the standard shall enroll in a developmental reading course (or course modules) during their first or second semester in college and each subsequent semester, if necessary, until the reading development plan is completed successfully.

State Approved Assessment and Placement Examinations

ACT - American College Testing Program-Enhanced ACT Assessment Test

SAT - College Board-Recentered Scholastic Aptitude Test

ASSET - American College Testing Program-Assessment of Skills for Successful Entry and Transfer

COMPASS - American College Testing Program-COMPASS Placement and Diagnostic Tests

+Common core assessments currently are under development in collaboration with the Arkansas Department of Education and the Partnership for Assessment of Readiness for College and Careers (PARCC)

++College transition courses currently are under development in collaboration with the Arkansas Department of Education and the Southern Regional Education Board (SREB)

Guidelines for Measurable Exit Standards for Developmental Courses

A student must demonstrate mastery of designated core competencies in the subject areas of mathematics, English composition, and reading. The core competencies and assessment instruments must be selected and/or developed in partnership with institutional subject-area faculty and developmental education faculty. Institutions also must implement a student success plan **or** administer a national post-test examination to determine the effectiveness of developmental courses and other criteria in improving academic preparation for student success in college-level coursework requiring higher-level skills in reading, writing and mathematics.

Institutional Student Success Plan – Essential Elements

An institution must implement a state approved student success plan for students assessed for placement in a developmental course in mathematics, English composition and/or reading. The student must be formally engaged in student success plan activities prior to enrollment in college-level courses in mathematics or English composition **or** while simultaneously enrolled in college-level courses in mathematics and English composition. The student success plan must include the following elements:

- 1) Diagnostic Testing and Evaluation of Academic Performance
 - Could include use of high school grade point average (GPA), grades in prerequisite high school courses, and recognized state or national assessments and transition courses for college readiness
 - Could include use of departmental pre-tests, initial writing samples, COMPASS or other standard assessments,
- 2) Academic Advising and Counseling
 - Use of individualized student success plan that includes the degree check list and other items used to monitor student progress such as registration hold until academic advising, early-alert system
- 3) Mandatory Orientation
- 4) Academic Student Support
 - Provide description of other institutional criteria for student success, if utilized
- 5) Developmental Education Courses/Innovative and Varied Instructional Approaches
 - Use of developmental courses
 - Could include use of blended or accelerated models (Institutions will determine the minimum course placement sub-score for students enrolled simultaneously in college-level and blended or accelerated developmental courses (or course modules) in English composition, reading and mathematics.)
- 6) Evaluation and Assessment of Student Learning
 - Provide description of exit standards or capstone assessment (could include projects, portfolios, common final exams, COMPASS post-test, etc.)
 - Provide data on student success in developmental course (or student success plan activities) and the requisite college-level course
- 7) Faculty Professional Development
 - Activities designed to improve teaching methods, stay abreast of developmental education strategies, and training in relevant technologies

- Employment of sufficient number of well-credentialed faculty
- 8) Annual Plan Evaluation
 - Student Success Plan Report submitted to ADHE (annually by July 1 beginning in 2013, and biennially by July 1 beginning in 2017) that includes details on diagnostic testing, placement, capstone assessments, student success rates in developmental and requisite college-level courses

Approval of Institutional Student Success Plan

An institution must submit a student success plan to the Arkansas Department of Higher Education for review and approval by June 30, 2012, for implementation in Fall 2012; or by June 30 of any year prior to Fall implementation. A description of the structure of the organizational unit for the student success plan must be included. Plan modifications must be reported to ADHE.

Post-Test Examination

A post-test examination score comparable to the ACT placement threshold will not be required for student enrollment in college-level courses if an institution implements a state approved student success plan for Fall 2012. The board and administration of any campus may elect to include in a student success plan the requirement of a national or institutional post-test examination and/or course placement score for enrollment in college-level mathematics and English composition courses.

An institution that chooses not to implement a student success plan as outlined in this policy must submit written notification to ADHE by June 30, 2012, that the administration of a national post-test examination will be continued as outlined in the institution's AHECB approved plan in compliance with Act 971 of 2009; and that the institution will use the developmental exit assessment as a means to determine the success of its developmental education program. Each institution will determine if developmental students who do not attain a post-test score comparable to the ACT threshold have the academic skills necessary for success in college-level coursework. (The Arkansas Higher Education Coordinating Board may choose to establish statewide minimum scores for the state approved post-test examinations based on the effectiveness of developmental courses and other criteria in improving academic preparation for student success in college-level courses in English composition and college algebra or other comparable college-level mathematics courses.)

State Approved Developmental Course Pre-Test Examinations

Mathematics – COMPASS, ASSET, ACT, SAT, ACT and MyMath Test combined

English – COMPASS, ASSET, ACT, SAT, COMPASS E-Write

Reading – COMPASS, ASSET, ACT, SAT, Nelson-Denny, ACT and Essay combined

State Approved Developmental Course Post-Test Examinations

Mathematics – COMPASS, ASSET, ACT, SAT, MyMath Test, TABE

English – COMPASS, ASSET, ACT, SAT, COMPASS E-Write, TABE,

COMPASS and Essay combined

Reading – COMPASS, ASSET, ACT, SAT, Nelson-Denny, TABE

Data Reporting

All institutions must submit to ADHE (via the AHECB Student Information System) the ACT or comparable course placement scores in mathematics, English, and reading for all first-time students who enroll in associate and bachelor’s degree programs.

The institution also must record in the individualized student success plan (by Fall 2013) the ACT or comparable course placement scores or the related (successfully completed) developmental course number and title for any student who enrolls in English composition and mathematics courses that meet the requirements for the 35-credit hour state minimum general education core.

Placement scores and developmental course completion information for non-degree seeking, transfer, and visiting students will not be reported to ADHE via the Student Information System, but this information must be recorded in the individualized student success plan should ADHE request data on all students enrolled in college-level English composition and mathematics general education core courses.

The institution must report to ADHE the course grade earned in the requisite college-level course in English composition and mathematics for those students placed and enrolled in developmental courses in mathematics, English composition and reading.

Institutions without a state approved student success plan also must report the ACT or comparable post-test scores for the students placed, enrolled and completing developmental mathematics, English composition, and reading courses.

ADHE will submit a report on student remediation, progression and success to the Arkansas Higher Education Coordinating Board.

For institutions that choose to use the post-test examinations only rather than implement a student success plan, ADHE staff will analyze developmental student success based on developmental course grades, post-test scores, and college-level course grades to determine the effectiveness of the developmental courses in improving college preparation. The results from the analysis of student success will be included in the ADHE remediation report to the Coordinating Board.

Policy Adopted: Agenda Item No. 9, October 13, 1989
Policy Amended: Agenda Item No. 27, October 20, 1995
Policy Amended: Agenda Item No. 22, April 19, 2002
Policy Amended: Agenda Item No. 3, January 29, 2010; April 30, 2010
Policy Amended: Agenda Item No. 4, April 27, 2012

TABLE 1. College Placement/Pre-tests (AHECB Approved - April 30, 2010)

Institution	English	Math	Reading
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4-Year			
ASUJ	Compass	Compass	Compass/Nelson-Denny
ATU	ACT/Compass	ACT/Compass	ACT/Compass
HSU	ACT/Compass/Asset	ACT/Compass/Asset	ACT/Compass/Asset
SAUM	ACT/Compass/Asset/ SAT	ACT/Compass/Asset/ SAT	ACT/Compass/Asset/ SAT
UAF	ACT and Essay	ACT and MyMathTest	ACT and Compass
UAFS	Compass	Compass	Compass
UALR	Compass	*	Compass
UAM	ACT/Compass/Asset/ SAT	ACT/Compass/Asset/ SAT	ACT/Compass/Asset/ SAT
UAPB	Compass	Compass	Compass
UCA	Compass	Compass	Compass
2-Year			
ANC	Compass/Asset	Compass/Asset	Nelson-Denny
ASUB	ACT/Compass/Asset/SAT	ACT/Compass/Asset/SAT	ACT/Compass/Asset/SAT
ASUMH	ACT/Compass	ACT/Compass	ACT/Compass
ASUN	Compass	Compass	Compass
BRTC	Asset	Asset	Asset
CCCUA	Compass/Asset	Compass/Asset	Compass/Asset
EACC	Compass/Asset	Compass/Asset	Compass/Asset
MSCC	ACT/Compass	ACT/Compass	ACT/Compass
NPCC	ACT/Compass/Asset	ACT/Compass/Asset	ACT/Compass/Asset
NAC	ACT/Compass	ACT/Compass	ACT/Compass
NWACC	ACT/Compass	ACT/Compass	ACT/Compass
OTC	Compass E-Write	ACT/Compass	Nelson-Denny
OC	Compass	Compass	Compass
PCCUA	Compass/Asset	Compass/Asset	Compass/Asset/Nelson- Denny
PTC	Compass	Compass	Compass
RMCC	ACT/Compass/Asset	ACT/Compass/Asset	ACT/Compass/Asset
SACC	Compass	Compass	Nelson-Denny
SEAC	Compass	Compass	Compass
SAUT	Compass	Compass	Compass
UACCB	ACT/Compass/Asset/ SAT	ACT/Compass/Asset/ SAT	ACT/Compass/Asset/ SAT
UACCH	ACT/Compass/Asset	ACT/Compass/Asset	ACT/Compass/Asset
UACCM	ACT/Compass	ACT/Compass	ACT/Compass

* 19 ACT is required for Intermediate Algebra.

Table 2. Developmental Course Post-Tests (AHECB Approved – April 30, 2010)

Institution	English	Math	Reading
4-Year			
ASUJ	Compass	Compass	Compass/Nelson-Denny
ATU	Compass	Compass	Compass
HSU	Compass	Compass	Compass
SAUM	Compass	Compass	Compass
UAF	Compass and Essay	MyMathTest	Compass
UAFS	Asset	Asset	Asset
UALR	Compass	*	Compass
UAM	Asset	Asset	Asset
UAPB	Compass	Compass	Compass
UCA	Compass	Compass	Compass
2-Year			
ANC	Compass/Asset	Compass/Asset	Nelson-Denny
ASUB	ACT/Compass/Asset/SAT	ACT/Compass/Asset/SAT	ACT/Compass/Asset/SAT
ASUMH	Compass	Compass	Compass
ASUN	Compass	Compass	Compass
BRTC	Asset	Asset	Asset
CCCUA	Compass/Asset	Compass/Asset	Compass/Asset
EACC	Compass/Asset	Compass/Asset	Compass/Asset
MSCC	Compass	Compass	Compass
NPCC	TABE	TABE	TABE
NAC	Compass	Compass	Compass
NWACC	Compass E-Write	Compass	Compass
OTC	Compass E-Write	Compass	Nelson-Denny
OC	Compass	Compass	Compass
PCCUA	Compass/Asset/ACT	Compass/Asset/ACT	Compass/Asset/ACT/Nelson-Denny
PTC	Compass	Compass	Compass
RMCC	Compass/Asset	Compass/Asset	Compass/Asset
SACC	Compass	Compass	Nelson-Denny
SEAC	Compass	Compass	Compass
SAUT	Compass	Compass	Compass
UACCB	Compass/Asset	Compass/Asset	Compass/Asset
UACCH	Compass	Compass	Compass
UACCM	ACT/Compass	ACT/Compass	ACT/Compass

* 19 ACT is required for Intermediate Algebra.

**POLICIES FOR ASSURING QUALITY AND PREVENTING
UNNECESSARY DUPLICATION IN OFF-CAMPUS
CREDIT INSTRUCTION**

The guidelines established by the State Board for the development of its recommendations to the Governor and General Assembly for operating funds for state colleges and universities for the 1991-93 biennium provide incentives for institutions to offer off-campus credit courses. The policies presented in this agenda item were developed to assure that this change in the funding formula does not result in problems with quality or unnecessary duplication in off-campus credit instruction. These policies were developed with the assistance of an advisory committee of institutional representatives and were reviewed at a meeting of the chief academic officers and at a meeting of the presidents and chancellors.

The following resolution was adopted on April 20, 1990 (Agenda Item No. 8):

RESOLVED, That the State Board of Higher Education adopts the policies presented in this agenda item for assuring quality and preventing unnecessary duplication in off-campus credit instruction.

Citation: [6-61-206](#)

**POLICIES FOR ASSURING QUALITY AND
PREVENTING UNNECESSARY DUPLICATION IN
OFF-CAMPUS CREDIT INSTRUCTION**

- I. As used in this document, off-campus credit courses and off-campus credit instruction are defined as courses offered for college credit at an off-campus location (including on the campus of another college, university, or vocational-technical school), or through telecourses or correspondence courses. For community colleges, off-campus location is defined as outside the community college district.
- II. A standing seven-member Advisory Committee on Off-Campus Credit Instruction will be created with rotating representation from all state colleges and universities. The Committee will monitor off-campus credit courses, recommend policies and procedures needed to assure quality and prevent unnecessary duplication, and make recommendations to the Director of the Department of Higher Education in response to specific problems that may arise related to the policies described below.
- III. Approval by the State Board of Higher Education is required if an entire degree program is to be offered through off-campus instruction.
- IV. The requirements of the Freshman Assessment and Placement Program apply to placement of students in off-campus credit courses in the same manner as for placement in courses on campus.
- V. In order for SSCH produced by off-campus credit courses to be included for state funding in the higher education funding formula, the following criteria must be met:
 - A. For all forms of off-campus instruction:
 1. Each course must be approved by the offering institution through the same process used for approval of on-campus courses.
 2. Faculty members must have the same academic qualifications as normally expected for on-campus courses (normally a master's or higher degree in the academic discipline related to the course).
 3. Admission processes, course prerequisites, and other requirements for course registration must be analogous to those used for on-campus courses.
 4. The criteria established by the Department of Higher Education for institutional reporting of enrollments for each term apply to students enrolled in both off-campus and on-campus courses.

5. The policy for refund of tuition and fees must be comparable with the policy for on-campus courses.
6. The faculty member teaching the off-campus course must be available for student advising at a time and location that is convenient for the students enrolled.
7. Books, journals, and other library holdings that are considered essential when the course is taught on campus must be provided in a convenient manner for the students enrolled in an off-campus course.

B. In addition to the above:

1. For courses at off-campus locations:

a. Specialized facilities and equipment must be comparable with those normally provided when the course is taught on campus (i.e., laboratory courses must be taught in appropriately equipped laboratories, students in computer courses must have access to computers).

b. At least as many total hours of classroom instruction per semester must be provided as when the course is taught on campus.

c. The location of the course must be:

Within the borders of Arkansas, and
Not on a U.S. military base, and
Not within 30 miles of a state college or university which offers a comparable course (if the proposed location of the course is within 30 miles of more than one institution which offers a comparable course, the closest institution would have priority).

2. For telecourses:

a. All tests and examinations must be conducted under the supervision of the faculty member responsible for the course or another individual specifically designated for this purpose by the offering institution.

b. There must be at least three class sessions conducted by the faculty member responsible for the course (including any sessions held for purposes of orientation to the course or to conduct tests and examinations). In order for the SSCH produced by the out-of-state students enrolled in telecourses to be included for state funding, the three class sessions for those students must be conducted on the campus of the offering institution in Arkansas.

3. For correspondence courses:

- a. All tests and examinations must be conducted under the supervision of the faculty member responsible for the course or another individual specifically designed for this purpose by the offering institution.
- b. Only the SSCH produced by credit courses taken by Arkansas residents will be included for state funding.

Approved: Agenda Item No. 8
April 20, 1990

REVISION OF CRITERIA AND PROCEDURES FOR ESTABLISHING NEW CERTIFICATE AND DEGREE PROGRAMS AND ORGANIZATIONAL UNITS

Arkansas Code Annotated §6-61-208 charges the Arkansas Higher Education Coordinating Board (AHECB) with the responsibility to evaluate proposals for all new units of instruction, research, and public service, consistent with established role and scope designations, and to approve programs and organizational units based on established policies. ADHE staff began working with a committee of two- and four-year chief academic officers (CAOs) in spring 2004 to revise academic policies related to new program proposals. These revisions were undertaken for the following reasons:

- ❑ Some sections of the existing document needed clarification.
- ❑ Staff requirements for new program proposal submissions needed further explanation.
- ❑ Definitions needed to be updated.
- ❑ Distance technology instruction needed to be addressed.
- ❑ The process for new program approval needed to be streamlined.

The policy revision committee and staff presented drafts of the proposed changes at three CAO meetings and at various stages in the process via e-mail. As presented, the goal of the revision process was to create a policy statement that ensured the integrity of institutional and staff review and AHECB consideration of new programs.

The following resolution is presented for Coordinating Board consideration.

RESOLVED, That the Arkansas Higher Education Coordinating Board adopts the Criteria and Procedures for Establishing New Certificate and Degree Programs and New Organizational Units as presented in this agenda item.

FURTHER RESOLVED, That the Coordinating Board instructs the Director of the Arkansas Department of Higher Education to notify the presidents, chancellors, and chief academic officers of public colleges and universities of this policy.

FURTHER RESOLVED, That the Board repeals the Criteria and Procedures for Preparing Proposals for New Programs adopted on October 20, 2000.

Citation: [6-61-208](#)

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CRITERIA AND PROCEDURES FOR PREPARING PROPOSALS
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INTRODUCTION

Arkansas Code Annotated §6-61-208 charges the Arkansas Higher Education Coordinating Board (Coordinating Board) with the responsibility to evaluate proposals for all new units of instruction, research, and public service, consistent with established role and scope designations, and to approve programs and organizational units based on established policies. A new unit of instruction, research or public service includes:

- New curricula
- Majors leading to a new certificate or degree program
- Establishment of a department, division, college, school, center, and institute
- New extension service
- Organizational unit not presently established at the institution.

The Coordinating Board is not required to consider reasonable and moderate extensions of existing curricular, research, and public service programs at the public institutions of higher education. The Coordinating Board has granted oversight authority to the Director of the Arkansas Department of Higher Education to monitor these activities and notify the Board at its regular meetings. State general revenues cannot be expended for new programs that are not approved by the Coordinating Board.

This document sets forth the relevant criteria and compliance procedures for the staff of the Arkansas Department of Higher Education (ADHE) and administrators and faculty members of the public colleges and universities. The Arkansas Department of Higher Education staff prepared this revised edition of the criteria and procedures in consultation with the chief academic and chief executive officers of Arkansas public higher education institutions.

PART 1. ESTABLISHMENT OF PROGRAMS AND ORGANIZATIONAL UNITS

A Letter of Intent must be submitted to ADHE for a new program or organizational unit that requires Coordinating Board approval. The proposal for a new program/unit must be approved by the institutional Board of Trustees before consideration by the Coordinating Board. Programmatic and organizational changes that require ADHE Director approval must be submitted to ADHE in a Letter of Notification, and must be included on the Coordinating Board meeting agenda prior to initiation. The deadlines for submission of the Letter of Intent, Letter of Notification, and proposal are listed in Part 2, Section 4.

Section 1. New Programs and Organizational Units Requiring Coordinating Board Approval (Submit Letter of Intent and Proposal)

1. A new program of instruction, regardless of mode of delivery, that results in a certificate or degree. The program should complement and build upon existing programs and follow accepted higher education structure for the discipline and program level. If the certificate or degree program is designed for professional certification or licensure, documentation of appropriate agency/board approval must be submitted. ADHE staff will conduct an on-campus visit if the institution is offering its first certificate or degree program by distance technology. Definitions of certificate and degree programs are described in Appendix B.

(Coordinating Board approval is not required for a new certificate of proficiency or new certificates, options and degrees developed from existing courses and degrees. See Sections 2.8 – 2.11.)

2. Any change in academic organization to establish new administrative units, if such units are to serve as a base for faculty appointments or are to offer degree programs. Definitions of academic administrative units are described in Appendix B.
3. New off-campus instruction centers where students can receive a minimum of 50 percent of the credits in a major field of study that are required for an existing certificate or degree from the institution. Instruction may be delivered on-site, through distance technology or correspondence. The Letter of Intent must be submitted prior to the signing of any agreement to establish off-campus instructional facilities.
4. Reactivation of any certificate or degree program formally on inactive status for five years.

Section 2. Program and Unit Changes Requiring ADHE Director Approval Unless Approval Requested by Coordinating Board (Submit Letter of Notification)

1. Changes in name only of an existing degree, certificate, major, option or organizational unit where the curriculum or emphasis will not be modified.

2. Establishment of a center, division, institute or similar major administrative unit not offering primary faculty appointments or degree programs. The mission and role of the administrative unit must be submitted with the Letter of Notification.
3. The addition of a specialized course of study (option, concentration, emphasis) as a component of an approved degree program if the number of new theory courses added to the curriculum does not exceed 18 semester credit hours (excluding a maximum of 6 semester credit hours of new clinical, practicum or internship courses). The new option must consist of a minimum of 9 semester credit hours. A list of the required courses in the option, the new course descriptions, the goals, objectives and student learning outcomes, and justification for offering the new option must be submitted with the Letter of Notification.

(A proposal must be submitted for an option requiring more than 18 semester credit hours of new theory courses.)

4. Establishment of a new instruction, research or service institute/center fully supported by sources other than state funds that will definitely terminate when non-state funding ceases. A synopsis of the mission and role of the institute or center, the projected annual budget, and the sources of funding must be submitted with the Letter of Notification.
5. Deletion of certificates, options, degree programs and organizational units. Program deletions will be reported annually to the Coordinating Board.
6. Placement of a certificate or degree program on inactive status.
7. A change in structure to reorganize existing organizational units. The existing and proposed organizational structure and the justification for the change in structure must be submitted with the Letter of Notification.
8. An undergraduate certificate program consisting of 7-18 semester credit hours. The curriculum, list of required courses, new course descriptions, the goals, objectives and student learning outcomes, and justification for offering the new program must be submitted with the Letter of Notification. If the certificate program is designed for professional certification or licensure, documentation of appropriate agency/board approval also must be submitted.
9. An undergraduate certificate program (24-42 semester credit hours) developed from an approved associate or bachelor's degree program provided that 75 percent of the coursework in the new certificate is included in the existing degree program. The curriculum, list of required courses, new course descriptions, the goals, objectives and student learning outcomes, and justification for offering the new program must be submitted with the Letter of Notification. If the certificate program is designed for professional certification or licensure, documentation of appropriate agency/board approval also must be submitted.

10. A graduate certificate program consisting of 12-18 semester credit hours of existing graduate courses that reflects a coherent academic accomplishment or meets requirements for professional licensure or certification. The curriculum, new course descriptions, the goals, objectives and student learning outcomes, justification for offering the new program, and professional licensure or certification criteria must be submitted with the Letter of Notification. If the certificate program is designed for professional certification or licensure, documentation of appropriate agency/board approval also must be submitted. Arkansas Department of Education approval must be submitted for certificate programs for teacher licensure, endorsement or certification.
11. Reconfiguration of existing undergraduate or graduate degree programs to create a new degree. The existing and proposed curricula, list of required core courses, new course descriptions, the goals, objectives and student learning outcomes, and justification for the new program must be submitted with the Letter of Notification.

Consolidation of Existing Degrees - The new combined degree program must require 12-18 semester credit hours of core courses with a minimum of two courses taken from each of the existing degree majors. Modification of Existing Degree to Create New Degrees - An existing degree major must include required courses in at least two disciplines for the degree to be separated into two or more new degree programs.

12. An existing certificate or degree program in which at least 50 percent of the total credits will be offered at an off-campus location. The institution proposing the program must submit the Letter of Notification and indicate why the institution plans to offer the program off-campus. If the program will be offered at an off-campus location in Arkansas, documentation of the discussions with the chief academic and chief executive officers at the institutions in the surrounding area of the proposed off-campus location also must be submitted with the Letter of Notification. Should there be a dispute between the institutions, the Off-Campus Instruction Policy should be followed.
13. An existing certificate or degree program in which at least 50 percent of the total credits will be offered through distance technology. The Letter of Notification must indicate why the institution plans to offer the program through distance technology. If the institution is planning to offer its first degree by distance technology, a new program proposal must be submitted to ADHE by the established deadline. The institution also must submit a copy of its responses to the Higher Learning Commission--NCA document that outlines institutional best practices for electronically offered programs. ADHE staff will conduct an on-campus visit prior to Coordinating Board consideration of the new distance technology program. Assessment of distance programs must be consistent with institutional assessment practices on campus and program outcomes must be the same for both traditional and distance delivery methods. ADHE staff review of programs offered through distance technology will be conducted on a 3-year cycle.

PART 2. GUIDELINES FOR THE PREPARATION OF PROPOSALS FOR NEW PROGRAMS AND ORGANIZATIONAL UNITS

Section 1. Guidelines for Proposals – New Programs

New programs that require Coordinating Board approval are listed in Part 1, Section 1. Proposals for new programs must be submitted to ADHE on appropriate forms and include the following information:

- Proposed program title
- Program initiation date
- General description of the program
- Documentation of need for the program and student demand/interest
- Program goals, objectives and student learning outcomes
- Program curriculum and new course descriptions
- List of program faculty (names and credentials)
- Description of program resources (library, instructional equipment and facilities, technology support)
- Program budget (new funds required and funding sources)
- Program duplication (similar programs in Arkansas)
- Institutional program productivity
- Institutional and Board of Trustees approval of proposed program.

Section 2. Guidelines for Proposals – New Organizational Units

New organizational units that require Coordinating Board approval are listed in Part 1, Section 1. Proposals for new units must be submitted to ADHE on appropriate forms and include the following information:

- Description of proposed organizational unit
- Unit initiation date
- Justification for establishment of new unit
- Current and proposed organizational chart
- Unit budget (new administrative costs and funding sources)
- Institutional and Board of Trustees approval of proposed unit.

Section 3. Guidelines for Preparation of New Program/Unit Budgets

In order for ADHE staff to assess the adequacy of resources to support the proposed program/unit, a detailed list of resource requirements and planned funding sources must be presented. Institutions must provide evidence of the source of adequate funding.

Funding for new programs/units will either be supplied from new or existing sources. If funds are to be redistributed to the proposed program/unit, the source of funding must be identified and an analysis of the impact that the redistribution of funds will have on existing programs or

organizational units must be stated. If the redistribution is from the deletion of an existing program/unit, documentation of sufficient savings to the state to offset new program/unit costs must be provided.

New funding from student tuition, fees, and state general revenue generated by new student semester credit hours (SSCH), grants/contracts or other sources must be identified. Calculations and/or formulas that were used to project new revenue should be included in the budget section (e.g., number of new students projected in proposed program multiplied by tuition and fees; state general revenue dollars per FTE multiplied by projected number of FTEs to enroll in the new program).

<u>Resource Requirements</u>			
	<u>1st Year</u>	<u>2nd Year</u>	<u>3rd Year</u>
	(in dollars)	(in dollars)	(in dollars)

Staffing (Number)			
Administrative/Professional			
Full-time Faculty			
Part-time Faculty			
Graduate Assistants			
Clerical			
Equipment & Instructional Materials			
Library			
Other Support Services			
Supplies/Printing			
Travel			
Distance Technology			
Other Services (specify)			

TOTAL			

<u>Planned Funding Sources</u>			
	<u>1st Year</u>	<u>2nd Year</u>	<u>3rd Year</u>
	(in dollars)	(in dollars)	(in dollars)

New Student Tuition and Fees			
New State General Revenue			
Redistribution of State General Revenue			
External Grants/Contracts			
Other Funding Sources (specify)			

TOTAL			

Section 4. Deadlines For Submission Of Letter Of Intent, Proposals, And Letter Of Notification

Letter of Intent

A Letter of Intent informs the Coordinating Board that an institution seeks to offer a new program or organizational unit that requires a proposal and Coordinating Board approval.

<u>Letter of Intent</u>	<u>Proposals Due</u>	<u>*Institutional Comment Period Ends</u>	<u>Coordinating Board Meeting</u>
<i>[December 1]</i>	February 1	March 1	April
<i>[March 1]</i>	May 15	June 15	July
<i>[June 1]</i>	August 1	September 1	October
<i>[September 1]</i>	November 15	December 15	February

*Chief academic and chief executive officers may comment on the proposed programs and organizational units before ADHE staff review of the proposals.

Letter of Notification

A Letter of Notification informs the Coordinating Board that an institution seeks to offer a program/unit or make a change in the program/organizational structure that requires ADHE Director approval unless approval is requested by the Coordinating Board.

<u>Letter of Notification</u>	<u>Coordinating Board Meeting</u>
<i>[December 1]</i>	February
<i>[March 1]</i>	April
<i>[June 1]</i>	July
<i>[September 1]</i>	October

PART 3. PROPOSAL REVIEW PROCESS

Section 1. Program Request and Proposal Submission

A Letter of Intent must be submitted to the Arkansas Department of Higher Education by the established deadline for the proposal to be considered by the Coordinating Board at its regularly scheduled meeting in February, April, July or October. All proposals for new programs and organizational units must be prepared according to published criteria and submitted electronically to ADHE on the appropriate forms by the established deadlines. The deadlines for submission of the Letter of Intent and the proposal are listed in Part 2, Section 4. The Arkansas Higher Education Coordinating Board will not consider proposals for new programs or organizational units that have not been formally approved by the President and Board of Trustees of the proposing institution.

Prior to submission of a proposal to ADHE, it is recommended that the chief academic officer (CAO) discuss the proposed program with CAOs that offer similar programs in the state and with CAOs at institutions in the surrounding area. Institutions that plan to offer programs off-campus or plan to establish off-campus instruction centers, but cannot reach agreement either informally or with a written Memorandum of Understanding with other Arkansas institutions may appeal to the ADHE Associate Director of Academic Affairs as outlined in the Off-Campus Instruction Policy (AHECB Policy 5.17).

Section 2. Proposal Review by Chief Academic Officers

All proposals for new programs or organizational units will be posted on the ADHE web page within 7 days of the deadline for submission. An electronic notice will be sent to all chief academic officers when proposals have been posted, and a synopsis of the proposals will be sent to members of the Coordinating Board. The chief academic officers will have 15 working days after the web posting to comment, question or request additional information on the proposals. All such comments, questions or requests must be in writing and directed to the contact person listed on the ADHE web page as well as the ADHE Associate Director of Academic Affairs by the established deadline.

Institutions proposing programs/units must provide a written response to ADHE within 10 days of receipt of the requests for clarification or additional information. The chief academic officers of the institutions proposing the programs/units also may decide to withdraw the proposals at this time in lieu of a response. All comments and responses will be kept in the program proposal files at ADHE.

Section 3. Proposal Review by ADHE Staff

The ADHE Academic Affairs staff will review new program proposals before contacting the chief academic officer and program faculty for additional information. All institutional comments and responses received during the comment period will be considered. ADHE staff also may conduct a conference with the chief academic officer and program faculty before recommendations are made and reported to the Executive Council. If a proposal must be

deferred based on the review by the ADHE staff, the ADHE Associate Director of Academic Affairs will notify the chief academic officer no later than 20 days before the Coordinating Board meeting.

Section 4. Consultant Review of Proposals

ADHE staff may engage a maximum of three in-state or out-of-state experts in selected fields of study to assist with the review of proposals for undergraduate and graduate programs. The review team will submit a written report to ADHE that evaluates the proposed programs in terms of the need for graduates, student demand and interest, appropriateness of the curricula, and adequacy of institutional resources. Typically, a campus visit is required. The review team will not make a recommendation on program initiation. While institutions submitting proposals for review will be responsible for all expenses associated with the external reviews, ADHE staff will select the team in consultation with the institutions. In all instances, members of the review team will not have a relationship beyond professional acquaintance with the institutions and programs under review.

Section 5. Proposal Review by Executive Council

ADHE staff will present a synopsis of all new proposals to the Executive Council for their review before the proposals are included on the agenda for the Coordinating Board meeting. The ADHE Associate Director of Academic Affairs will notify the chief academic officers of the disposition of the proposed programs, including any concerns raised during the review process. If a proposal must be deferred based on the review by the Executive Council, the ADHE Associate Director of Academic Affairs will notify the chief academic officers immediately following the Executive Council meeting.

Section 6. Proposals Recommended to the Coordinating Board

Proposals that are not challenged during the review process will be placed on the consent agenda for the Coordinating Board meeting unless the ADHE Associate Director of Academic Affairs determines that the proposal should be presented to the Academic Committee of the Coordinating Board for information and discussion purposes. Also, any Board member may request that the proposal be presented to the Coordinating Board for the purpose of discussion and a separate vote. Institutional program representatives must attend the Coordinating Board meeting to respond to questions about the proposals. The Coordinating Board will vote on consent agenda items as a group with limited or no discussion. State general revenues cannot be expended for new programs that are not recommended by the Coordinating Board.

Section 7. Limitations on Coordinating Board Approval

Following a favorable action on the proposals by the Coordinating Board, institutions are expected to initiate programs/units on the dates specified in the Board agenda items. Coordinating Board approval will terminate for programs/units not initiated within two years of Board approval, and a new proposal must be submitted for Coordinating Board consideration if the institutional administration still wishes to initiate the proposed program.

Section 8. Follow-up Reviews of Approved Programs

ADHE staff may conduct follow-up reviews of approved programs to determine if the enrollment, general program strength, and number of graduates are sufficient to justify continuation of the program. Because the use of distance technology is a new mode of program delivery and the Coordinating Board has expressed concerns about the quality of these programs, an ADHE staff review of programs offered through distance technology will be conducted on a 3-year cycle. The ADHE Associate Director of Academic Affairs will contact chief academic officers to schedule the reviews and status reports will be presented to the Coordinating Board.

Section 9. Letter of Notification – Coordinating Board Approval Not Required Unless Requested

A Letter of Notification is required for programmatic and organizational changes that do not require Coordinating Board approval unless requested. The Letter of Notification with supporting documentation must be submitted to ADHE by the established deadlines listed in Part 2, Section 4. All changes in existing programs/units or requests for new programs/units must be included on the Coordinating Board meeting agenda prior to initiation.

APPENDIX A – PROGRAM RESOURCES AND ASSESSMENT

Section 1. Faculty Resources and Credentials

Institutions must employ a faculty of sufficient size and range for the number of programs offered and the students enrolled. There must be a sufficient number of full-time faculty members who hold the appropriate terminal degree in each program. A minimum of one full-time faculty member with appropriate credentials is required for each degree program.

Typically, at least 50 percent of the faculty members in each bachelor's, master's or doctoral degree program must hold the appropriate terminal degree. Faculty member credentials must be appropriate to their assigned duties and disciplines, including the levels at which they teach. Faculty degrees, professional accomplishments in research and creative activity, and experience should be commensurate to their duties. New program proposals should indicate ways in which they are in keeping with best practices in higher education, accreditation standards of their professional organizations, and faculty members in comparable program areas at peer institutions.

- Faculty must hold degrees, certifications and licenses from institutions accredited by agencies recognized by the U.S. Department of Education such as the Higher Learning Commission of the North Central Association of Colleges and Schools or from institutions with comparable status, certification or recognition in other countries.
- Faculty members teaching general education core courses are expected to hold at least a master's degree with 18 graduate hours in the teaching field. (A limited number of faculty may hold equivalent documented experience to meet educational qualifications.) Supervised graduate teaching assistants may serve as instructors for general education and core courses in the disciplines in which they are studying.
- Typically, faculty members teaching remedial/developmental education courses hold a master's degree, but must hold at least a bachelor's degree in the teaching field.
- Faculty members teaching in occupational skill areas must hold at least an associate degree or appropriate industry-related licensure/certification.
- A majority of the faculty members teaching in graduate-level degree programs must hold the appropriate terminal degree and have demonstrated competency in teaching or research at the appropriate graduate level. If doctoral programs are offered, a sufficient number of graduate faculty must have dissertation committee experience.

Section 2. Library Resources

Library resources (volumes, monographs, periodicals, indexed and full-text databases) specifically related to proposed certificate and degree programs must be available or planned to meet the needs of faculty and students.

Section 3. Instructional Support and Technology

Instructional support and technology (e.g., laboratories, technology applications and infrastructure, instructional equipment) should be determined by the program objectives and must be sufficient to meet program needs.

Section 4. Assessment and Evaluation

An assessment plan must be in place to evaluate faculty performance and student achievement.

Section 5. Programs Requiring Accreditation, Licensure or Certification

Certificate and degree programs designed to prepare students for professional licensure or certification must meet all standards and requirements of the accrediting or approval agencies.

Section 6. Traditional Instruction (In-Class)

College and university terms vary in length, with the most typical being semester, quarter or trimester. Some institutions use a pattern of two 8-week terms per semester instead of a 15-17 week semester. Whatever the term length, time spent in the appropriate mixture of lecture, laboratory, self-paced learning, team activities, and field work must bring enrolled students to the same required levels of competence, knowledge and performance. Typically, classes have met for 750 minutes or 12.5 clock hours in a term for each semester credit hour awarded in lecture classes with proportionately more time for laboratory classes.

The minimum semester length is 15 weeks of actual class time and examinations. A minimum of fifteen (15) fifty-minute class sessions, excluding laboratories, is required to award one semester hour of credit. Institutions may have terms of other than semester length, but the amounts of credit awarded must be adjusted in proportion to the length of term. There may be exceptions regarding length of terms and amount of credit awarded for specific circumstances such as workshops, seminars, and summer terms in instances where the instructional content and activities are selected appropriately.

The amount of credit awarded for a course is based on the amount of time in class, the amount of outside preparation required, and the intensity of the educational experience.

- A formal lecture course with extensive assigned reading or other out-of-class preparation is awarded one semester credit for *[a minimum of]* 750 minutes or 12.5 hours of classroom instruction;
- A laboratory class with moderate out-of-class preparation is awarded one semester credit for *[a minimum of]* 1500 minutes or 25 hours of laboratory instruction; and
- Clinical, practicum, internship, shop instruction or other self-paced learning activities involving work-related experience with little or no out-of-class preparation is awarded one semester credit for *[a minimum of]* 2250 minutes or 37.5 hours of work-related instruction.

Section 7. Non-Traditional Instruction (Self-Paced, Distance Technology)

An exception to the standard length of terms and student semester credit hour guidelines can occur if an institution offers instruction through self-paced methods that allow students to achieve predetermined goals and objectives while working independently or in a group without an instructor. When proposing new programs with self-directed components outside of traditional semester and credit hour designations, institutions must indicate the minimum and

maximum length allowed for completion of the components as well as intended student learning outcomes. Time-in-class is not a factor in self-paced learning.

Instruction delivered through distance technology is an approach to learning in which the majority of instruction occurs with a separation of place or time between the instructor and the students and with interaction occurring through electronic media. At least 50 percent of the course content in a distance technology course must be delivered electronically. Internet courses are conducted via web-based instruction and collaboration. Courses may require proctored examinations, and may include opportunities for face-to-face orientations, but there are no class attendance requirements.

Mixed-Mode courses include both required classroom attendance and online or 2-way interactive instruction. These classes have substantial content delivered over the Internet which will substitute for some classroom meetings. A correspondence course does not have any significant site attendance, but less than 50 percent of the course is delivered electronically. Standards for academic quality, admission, retention and assessment must be same in all courses and degree programs regardless of the mode of delivery.

When proposing new programs delivered through distance technology, the institution must demonstrate its commitment to distance technology instruction and the adequacy of technical support for faculty and students. Courses and degree programs offered through distance technology must be developed in accordance with the Best Practices for Electronically Offered Degree and Certificate Programs endorsed by the Higher Learning Commission of the North Central Association of Colleges and Schools. The web link to the Higher Learning Commission is listed below:

http://www.ncahigherlearningcommission.org/resources/electronic_degrees/Best_Pract_DEd.pdf

Institutions proposing to offer 50 percent of an existing certificate or degree program through distance technology must submit a Letter of Notification with supporting documentation to ADHE by the established deadlines. All requests to offer existing programs through distance technology must be listed on the Coordinating Board meeting agenda prior to initiation. ADHE staff review of programs offered through distance technology will be conducted on a 3-year cycle.

A Letter of Intent must be submitted to ADHE before a proposal for a new program offered through distance technology can be submitted to ADHE. If the institution is offering its first certificate or degree program via distance technology, ADHE staff will conduct an on-campus visit before making a recommendation on program approval to the Coordinating Board.

Section 8. Experiential Learning Credits

Institutions may award a maximum of 30 semester credit hours in a certificate or degree program for documented learning or work experiences.

Section 9. Certificate and Degree Granting Authority

Institutions may not award a certificate or degree to any student unless demonstrated mastery of knowledge and skills has been documented. A degree also may not be granted to any student solely for experiential learning or work experience.

APPENDIX B – DEFINITIONS (Certificates, Degrees, and Organizational Units)

CERTIFICATES

Certificate of Proficiency

The Certificate of Proficiency will be awarded to students who have demonstrated mastery of skills and knowledge against specified performance standards in a specific area or discipline. The award is granted for programs requiring 7-18 undergraduate semester credit hours. The program of study may be a stand-alone program or part of a technical certificate or associate degree curriculum. Remedial/developmental education courses must be used for placement purposes only and cannot be used to fulfill certificate requirements.

Technical Certificate

The Technical Certificate is a planned and coherent program of classroom and laboratory/shop work at the collegiate level that recognizes the completion of a specified level of competency in an occupational field. The program of study may be a stand-alone program or a part of an associate degree curriculum.

The curriculum must require a demonstration of competency in communications (oral and written) and mathematics, and a mastery of skills and knowledge against specified performance standards in a specific area or discipline. Remedial/developmental education courses must be used for placement purposes only and cannot be used to fulfill certificate requirements. The range of credit hours is 24-42 undergraduate semester hours. Exceptions to this range will be allowed when required by accrediting or approval agencies.

Certificate of General Studies

The Certificate of General Studies is designed to recognize 31-38 credit hours of general education core courses successfully completed by students. The program will document the student's mastery of skills and competencies needed to be successful in the workforce and function in today's world. The skills and competencies addressed in the program are based on findings in the report, *What Work Requires of Schools*, published in 1991 by the U.S. Department of Labor Secretary's Commission on Achieving Necessary Skills (SCANS). Remedial/developmental education courses must be used for placement purposes only and cannot be used to fulfill certificate requirements. (See Appendix D for curriculum requirements.)

Advanced Certificate

The Advanced Certificate is a planned program of study in a technical specialty. Admission to the program requires an associate degree or higher, national certification in the technical specialty or other specifically defined postsecondary education requirements. The curriculum must require demonstrated mastery of skills and knowledge against specified performance standards in a specific area or discipline. The range of hours is 24-42 undergraduate semester

credit hours. Program completion could lead to certification/licensure and recognition will be noted on the student transcript. If the certificate program is designed for professional certification or licensure, documentation of appropriate agency/board approval must be submitted. Teacher education certificates must be designed to meet certification/licensure requirements in designated specialty areas and must be approved by the Arkansas Department of Education prior to submission to ADHE for consideration.

Graduate Certificate

The Graduate Certificate is a 12-18 semester hour program that includes a focused collection of courses which when completed affords the student a record of coherent academic accomplishment in a given discipline or set of related disciplines. Program completion could lead to professional certification/licensure and recognition of the award will be noted on the student transcript.

The required courses must be part of the graduate curriculum of a university with graduate degree programs as part of its role and scope and be taught by faculty with graduate faculty status. Admission and completion requirements must be based upon the policies of the Graduate School. If the certificate program is designed for professional certification or licensure, documentation of appropriate agency/board approval must be submitted. Teacher education certificates must be designed to meet certification/licensure requirements in designated specialty areas and must be approved by the Arkansas Department of Education prior to submission to ADHE for consideration.

UNDERGRADUATE DEGREES

Associate of Arts

The Associate of Arts degree will be awarded to students who successfully complete a program of collegiate level work that is transferable toward a baccalaureate degree. The degree must include the 35-hour state minimum general education core (Appendix C) that requires courses in English/writing, the humanities and fine arts, history and the social sciences, mathematics, and the natural sciences. The curriculum must require a demonstration of competency in communications (oral and written) and mathematics, and a mastery of skills and knowledge against specified performance standards in specific areas or disciplines. Remedial/developmental education courses must be used for placement purposes only and cannot be used to fulfill degree requirements. Typically, the field of study is not specified in the degree title. The range of hours is 60-64 semester credit hours.

Associate of Science

The Associate of Science degree will be awarded to students who successfully complete a program of collegiate level work with an occupational objective of which the majority of occupational courses and all general education courses are transferable toward a baccalaureate degree. The degree must include the 35-hour state minimum general education core (Appendix

C) that requires courses in English/writing, the humanities and fine arts, history and the social sciences, mathematics, and the natural sciences. The curriculum must require a demonstration of competency in communications (oral and written) and mathematics, and a mastery of skills and knowledge against specified performance standards in specific areas or disciplines. Remedial/developmental education courses must be used for placement purposes only and cannot be used to fulfill degree requirements. Typically, the field of study is not specified in the degree title. The range of hours is 60-72 semester credit hours. Exceptions to this range will be allowed when required by accrediting or approval agencies.

Associate of Applied Science

The Associate of Applied Science (A.A.S.) degree will be awarded to students who successfully complete a program of collegiate level work which is primarily designed for direct employment. The program must include a minimum of 15 semester credit hours of general education courses in English/writing, mathematics, social sciences, and computer applications/fundamentals (Appendix C). A minimum of 30-36 semester hours must be in a technical area. An additional component of the program of study should be a technical core of support courses from other related technical disciplines. The curriculum must require demonstrated mastery of skills and knowledge against specified performance standards in a specific area or discipline. Remedial/developmental education courses must be used for placement purposes only and cannot be used to fulfill degree requirements. (A course in Intermediate Algebra may be used to fulfill the mathematics requirement in the A.A.S. degree.) The occupational field may be specified in the title of the degree (e.g., Associate of Applied Science in Electronics Technology). The range of hours is 60-72 semester credit hours. Selected health-related programs may exceed 72 semester hours, but should not exceed 80 semester hours unless required by accrediting or approval agencies.

Associate of General Studies/Liberal Arts

The Associate of General Studies/Liberal Arts degree will be awarded to students who successfully complete a planned program of collegiate level work that includes a minimum of 15 semester hours of general education courses (Appendix C) and occupational or liberal arts courses. The curriculum must require demonstrated mastery of skills and knowledge against specified performance standards in at least one specific area or discipline. The program of study must be developed cooperatively by the student and the institution. The degree is intended to serve as a flexible program option for students whose needs cannot be met by other programs. Individual courses may fulfill requirements for transfer toward a baccalaureate degree, direct employment or educational enrichment. Remedial/developmental education courses must be used for placement purposes only and cannot be used to fulfill degree requirements. The range of hours is 60-64 semester credit hours.

Associate of Applied Science in General Technology

The Associate of Applied Science in General Technology program will be awarded to students who successfully complete an individualized program of study to fulfill a unique career goal that cannot be met through the completion of a single program offered by the institution. The

program must include 15 semester credit hours of general education courses: English/writing, mathematics, computer application/fundamentals, and social sciences (Appendix C). There must be 24-30 semester hours in a major technical area, and 15-21 semester hours in a technical core of support courses from other related technical disciplines. A maximum of 30 semester hours may be awarded for experiential learning or work experience. The curriculum must require demonstrated mastery of skills and knowledge against specified performance standards in a specific area or discipline. Remedial/developmental education courses must be used for placement purposes only and cannot be used to fulfill degree requirements. Typically, the field of study is not specified in the degree title. The range of hours is 60-72 semester credit hours.

Associate of Arts in Teaching (AAT)

The Associate of Arts in Teaching degree will be awarded to students who successfully complete a planned program of collegiate level work that is transferable toward a baccalaureate degree in teacher education. This two-year transfer degree is designed to introduce students to the profession of teaching, to increase the number of teacher candidates, to ease transfer from two- to four-year institutions, and to maximize the credit hours taken at the two-year institution. The degree must include the state minimum general education core (35 semester credit hours) that requires courses in English/writing, the humanities and fine arts, history and the social sciences, mathematics, and the natural sciences (Appendix C). The Associate of Arts in Teaching is designed to align with state licensure requirements and consists of 60-64 semester credit hours. In order to receive the AAT, students must have a final grade point average of 2.65 and pass the Praxis I exam, an assessment of reading, writing, and mathematical skills. (See Appendix D for curriculum requirements.)

Bachelor's Degree

The bachelor's degree will be awarded to students upon successful completion of a program that requires a minimum of 120 undergraduate semester credit hours, including the 35-semester hour state minimum general education core (Appendix C), a minimum of 40 semester hours of upper-level courses, and a minimum of 30 semester hours (including 20 semester hours of upper-level courses) in the major field of study. The curriculum must require a demonstration of competency in communications (oral and written) and mathematics, and a mastery of skills and knowledge against specified performance standards in a specific area or discipline.

Remedial/developmental education courses must be used for placement purposes only and cannot be used to fulfill degree requirements. The range of the bachelor's degree is 120-136 semester hours. Selected programs (e.g., education, music, engineering) may exceed 136 semester hours, but cannot exceed 150 semester hours unless required by accrediting or approval agencies.

Bachelor of Applied Science

The Bachelor of Applied Science is a degree completion program that allows students holding an Associate of Applied Science degree to apply the entire associate degree toward the requirements of a bachelor's degree. The bachelor's degree curriculum must include a minimum of 35 semester hours of general education courses (Appendix C) and a minimum of

40 semester hours of upper-level courses in selected fields of study. The curriculum must require demonstrated mastery of skills and knowledge against specified performance standards in at least one specific area or discipline. Remedial/developmental education courses must be used for placement purposes only and cannot be used to fulfill degree requirements. The range of hours is 120–136 semester credit hours.

Bachelor of Professional Studies

The Bachelor of Professional Studies is designed as a flexible program option for students with earned college credit (including technical and occupational courses). The bachelor's degree curriculum must include a minimum of 35 semester hours of general education courses (Appendix C) and 40 semester hours of upper-level courses in selected fields of study. The program of study can be developed cooperatively by the student and the institution to meet a variety of professional development and career enhancement needs. The curriculum must require demonstrated mastery of skills and knowledge against specified performance standards in at least one specific area or discipline. Remedial/developmental education courses must be used for placement purposes only and cannot be used to fulfill degree requirements. The range of hours is 120–136 semester credit hours.

GRADUATE DEGREES

Master's Degree

The master's degree will be awarded to students who complete a minimum of 30 semester credit hours beyond the bachelor's degree that includes 50 percent graduate-only semester hours in the field of study. The curriculum must require demonstrated mastery of skills and knowledge against specified performance standards in a specific area or discipline. Exceptions to the total credit hours will be allowed when required by accrediting or approval agencies.

Specialist Degree

The specialist degree will be awarded to students who complete a minimum of 30 graduate-only semester credit hours beyond the master's degree. The curriculum must require demonstrated mastery of skills and knowledge against specified performance standards in a specific area or discipline. The degree does not meet the academic requirements of a doctoral degree. Exceptions to the total credit hours will be allowed when required by accrediting or approval agencies.

Doctoral Degree

The doctoral degree will be awarded to students who complete a minimum of 72-graduate semester credit hours beyond the bachelor's degree. The program of study includes 42 graduate-only semester hours beyond the master's degree. The curriculum must require demonstrated mastery of skills and knowledge against specified performance standards in a specific area or discipline. Program requirements must balance credit hours for required

coursework, research, and dissertation preparation. Exceptions to the total credit hours will be allowed when required by accrediting or approval agencies.

FIRST-PROFESSIONAL DEGREES

The first-professional degree (law, pharmacy, medicine, health-related professions) will be awarded to students upon successful completion of a program that meets all of these criteria: at least 60 semester credit hours of undergraduate coursework before entering the program, a minimum of 72 semester credit hours beyond the 60-semester hour entrance requirement, and completion of academic requirements to begin practice in the profession. The curriculum must require demonstrated mastery of skills and knowledge against specified performance standards in a specific area or discipline. Exceptions to the total credit hours will be allowed when required by accrediting or approval agencies.

ORGANIZATIONAL/ADMINISTRATIVE UNITS

Department - A basic organizational unit consisting of all faculty members or teaching personnel in a given subject-matter field or academic discipline or in a group of related disciplines or fields. The academic department is the fundamental unit in the institution because it is the focus of the basic functions of the institution: teaching, research, and service.

Division - A grouping for administrative purposes of two or more departments within a college or university.

College - A major instructional division of a university that includes related departments.

School - (1) A major instructional division of a university; (2) a major subdivision of a university offering a curriculum which leads to a professional or graduate degree.

Center - An academic organizational unit that conducts research, teaching or public service activities, or a combination of these functions in specified fields. The term also applies to an off-campus instructional location that has at least one permanent staff/faculty member assigned for administrative purposes.

Institute - (1) A separate institution, within or independent of a university, designed for teaching, research, or both, in a particular field of study; (2) a short course or workshop consisting of lecture and discussion topics on a specific theme.

Academy - A separate organizational entity within or independent of a college or university in which special subjects or skills are taught.

APPENDIX C – MINIMUM GENERAL EDUCATION AND TECHNICAL CORES

Section 1. State Minimum General Education Core (35 semester credit hours)

English/Communication (6-9 semester credit hours)

English Composition	6 credit hours
Speech Communication	0-3 credit hours

Mathematics (3 semester credit hours)

College Algebra or a course as sophisticated as college algebra or any higher-level mathematics course. Institutions may require students majoring in mathematics, engineering, science, and business to take higher mathematics as part of the state minimum core.

Science (8 semester credit hours)

Science courses must include laboratories. Institutions may require students majoring in mathematics, engineering, science, education, and health professions to take higher-level or specific science courses.

Fine Arts/Humanities (6-9 semester credit hours)

Must be broad survey courses. Institutions may require students majoring in engineering to take either 6 hours of humanities and social sciences at the junior/senior level or substitute an additional 6 hours of higher-level mathematics and/or additional science courses.

Social Sciences (9-12 semester credit hours)

U.S. History or Government	3 hours
Other Social Sciences	6-9 hours

Institutions may require students majoring in engineering to take either 6 hours or humanities and social sciences at the junior/senior level or substitute an additional 6 hours of higher-level mathematics and/or additional science courses.

Section 2. General Education Core for Associate-Level Occupational and General Studies Programs (15 semester credit hours)

English/Writing (6 semester credit hours)

English Composition and/or technical writing

Mathematics (3 semester credit hours)

Intermediate Algebra or higher-level course

Social Sciences (3 semester credit hours)

An introductory course appropriate for the field of study, e.g., psychology, sociology, economics

Computer Applications/Fundamentals (3 semester credit hours)

Certificate of General Studies

Discipline/Courses	Semester Hours
<i>English/Communication</i>	9
English Composition	6
Oral Communication or Speech	3
<i>Science, Math, & Technology</i>	10-14
Physical, Biological, or Earth Science (with lab)	4-8
College Algebra (equivalent or higher)	3
Computer or Technology Elective	3
<i>Social Sciences</i>	9
U.S. History or American Government	3
General Psychology or Introduction to Sociology	3
Social Science Elective	3
<i>Fine Arts/Humanities</i>	3-6
Fine Arts or Humanities Elective	3-6
Total Semester Hours	31-38

CGS Approved: Agenda Item No. 3
February 3, 2006

**Associate of Arts in Teaching (AAT)
Degree Requirements – 60-64 semester credit hours**

General Education Requirements

English/Communications

English Composition I 3 hours
English Composition II 3 hours
Speech (Oral Communications) 3 hours

Mathematics

College Algebra 3 hours

Lab Science

Biology with Lab 4 hours
Introduction to Physical Science with Lab 4 hours

Fine Arts/Humanities

Visual Arts *or* Musical Arts *or* Theatre Arts 3 hours
World Literature I *or* II 3 hours

Social Sciences

U.S. Government 3 hours
World Civilization I *or* II 3 hours
American History I *or* II 3 hours

AAT - Education Core Requirements

Introduction to Education	3 hours
K-12 Educational Technology	3 hours
Math I	3 hours
Math II	3 hours

Required Electives

Arkansas History	3 hours
Introduction to Psychology	3 hours

Middle School Requirements

Option 1 – Math/Science Specialty

College Trig <i>or</i> Pre-Calculus <i>or</i> Survey of Calculus <i>or</i> higher	3-4 hours
Physical Geography <i>or</i> Geology <i>or</i> Earth System with Lab	3-4 hours
Directed Elective	0-3 hours

or

Option 2 – Language Arts/Social Studies Specialty

American Literature I <i>or</i> II	3 hours
Geography [<i>Introductory</i>]	3 hours
Directed Elective	1-3 hours

P-4 Requirements

Geography [<i>Introductory or Physical</i>]	3 hours
Child Growth and Development	3 hours
PE (Activity)	1 hour
Directed Elective	0-3 hours

AAT Revised: July 25, 2008

Policy Revised: Agenda Item No. 13
April 16, 1993

Revised: Agenda Item No. 21
July 25, 1997

Revised: Agenda Item No. 21
October 23, 1998

Revised: Agenda Item No. 13
October 20, 2000

Revised: Agenda Item No. 16
October 22, 2004

**POLICY FOR THE REVIEW OF
EXISTING ACADEMIC PROGRAMS
Revised October 2008**

Arkansas Code §6-61-214 requires the Arkansas Higher Education Coordinating Board (AHECB) to establish standards for the academic programs offered by Arkansas colleges and universities and to create a 7-10 year review cycle for all-existing academic programs. The existing academic program review policies (AHECB Policy 5.12) were adopted in 1988 and revised in 1995 and 1998.

In April 2008, the AHECB directed the Arkansas Department of Higher Education (ADHE) staff, in cooperation with the public colleges and universities to revise the existing program review process to ensure quality academic programs that support Arkansas's economic development goals; to identify and remove non-viable programs from the AHECB approved program inventory, and to reduce barriers to graduation.

The proposed policy includes the following:

- Institutions will schedule an external review for all existing programs every 7-10 years.
- External program reviews will employ out-of-state reviewers/consultants.
- Academic program viability standards will be increased.
- Academic programs that do not meet viability standards will be removed from the approved program inventory and will not be supported by state general revenue funds.

ADHE staff has met with the presidents, chancellors, and chief academic officers and has received extensive input on the proposed changes in the program viability standards and review process.

ADHE Executive Staff recommend that the Arkansas Higher Education Coordinating Board approve the following resolution:

RESOLVED, That the Arkansas Higher Education Coordinating Board approves the revised Policy for the Review of Existing Academic Programs (AHECB Policy 5.12) outlined in this agenda item, effective immediately.

FURTHER RESOLVED, That the Coordinating Board instructs the Director of the Arkansas Department of Higher Education to notify the presidents, chancellors, chief academic officers, and institutional board chairs of this action.

Citation: [6-61-214](#)

**POLICY FOR THE REVIEW OF
EXISTING ACADEMIC PROGRAMS
Revised October 2008**

Arkansas Code §6-61-214 requires that the Arkansas Higher Education Coordinating Board (AHECB) review existing academic programs. The goals of existing academic program review are as follows:

1. To establish a process for the statewide review of academic programs.
2. To identify certificate and degree programs not meeting minimum standards of quality or viability and establish schedules for either resolving these concerns or removing the programs for the AHECB approved program inventory.

Existing Academic Program Review Process

All certificate and degree programs offered by public colleges and universities in Arkansas will be reviewed through the Existing Academic Program Review Process. This review process includes the following parameters:

1. All academic programs will be externally reviewed every 7-10 years. Each institution will submit its recommended program review cycle to ADHE. If changes in the review schedule are necessary, ADHE will be notified.
 - a. Accredited/licensed/state certified programs will follow the usual review practices and schedule of the accrediting/approval body. The site team's written evaluation and institutional response will be sent to ADHE within six weeks of receipt of the written evaluation.

Accredited/licensed/state certified programs failing to maintain accreditation/certification/licensure will be subject to further review by ADHE.

 - b. Academic programs which are not program-specific accredited will be reviewed by external reviewers/consultants. Institutions will select a minimum of two out-of-state reviewers affiliated with programs that are similar in mission and scope to the program under review.
2. At least one consultant is required to conduct a site visit and meet with program faculty, students, and administrators.

Individuals selected as consultants will be well-qualified and without bias toward institutions under review.

3. The institution will complete a comprehensive self-study that is reviewed by the program consultants. Components of the self-study will include, but not be limited to,

information related to: program need/demand, curriculum, faculty, resources, course delivery methods, student outcomes, and recent/planned program improvements.

4. The consultants will submit a written report of findings to the institution. Key information on continued program improvement will be included in the report submitted to ADHE. Specific contents of the consultants' reports will be determined by ADHE staff and Chief Academic Officers (CAOs).

Recommendations to Coordinating Board

1. The consultant's written evaluation and institutional response will be sent to ADHE within six weeks of receipt of the written evaluation.
2. Findings from academic program reviews will be reported annually to the AHECB. ADHE staff will recommend that the AHECB receive the consultants' reports and acknowledge that the contents may be consulted as a resource when decisions must be made by the Board regarding institutional role and scope, budget requests, new program approval, and statewide funding issues. The staff may propose other general resolutions that address statewide issues.
3. A further resolution will encourage institutional administrators, faculty members, and boards of trustees to consider implementing the recommendations made by the consultants for program improvement.
4. If appropriate, a resolution will be offered concerning program deletions, modifications, and/or follow-up. A resolution recommending program deletions will place the program(s) on notice for removal from the AHECB approved program inventory. At the end of the two-year notice period, those programs still not meeting minimum standards will be deleted from the approved program inventory. In extraordinary cases, documentation of legitimate extenuating circumstances may prompt the Coordinating Board to extend the notice period. State general revenue funds may not be used for the operation of a program beyond the termination deadline set by the Coordinating Board. ADHE will not include SSCHs generated by major courses of programs removed from the approved program inventory in its funding formula calculations.
5. The president, chancellor, or chief academic officer may respond to ADHE staff recommendations in writing or request a conference to discuss the recommendations prior to consideration by the Coordinating Board. The discussions will be limited to those issues that concern the state's interests, i.e., program closings and broader statewide issues that the Coordinating Board may wish to address. Any recommendations in the consultants' reports that are not included in the ADHE staff recommendations would pertain to matters of campus concern and, therefore, would represent suggestions to be considered locally.

ADHE Review of Program Viability

The AHECB adopted program productivity standards in 1989 and established benchmarks of an average of 3 graduates per year over five years for undergraduate programs, 2 graduates per year for master's programs, and 1 graduate per year for doctoral programs. This policy revises those benchmark standards and renames them program viability standards.

Beginning in 2010, ADHE staff annually will identify existing certificate and degree programs that do not meet AHECB program viability standards. New certificates and associate degrees will be identified for program viability standards after three years, and bachelor's degrees and above will be identified after five years.

1. The viability standards, based on a three-year average, are as follows:
 - An average of four (4) graduates per year for career and technical education certificates (CTE) and career and technical associate degree programs (AAS);
 - An average of four (4) graduates per year for bachelor's degrees in science, mathematics, engineering, foreign languages, middle school education, and secondary education programs for licensure in science and mathematics;
 - An average of six (6) graduates per year for transfer associate degrees (AA, AS, and AAT) and bachelor's programs;
 - An average of four (4) graduates per year for master's, specialist and first-professional programs; and,
 - An average of two (2) graduates per year for doctoral programs.
2. Cognate, embedded and related programs will be considered one program for program viability purposes.

Cognate (coupled) programs are supported primarily by courses existing in and for other (viable) programs and should be certified as such by the offering institution through the provision of documentation to ADHE.

Each institution will submit to ADHE a list, with justification, of the certificate and degree programs that the institution believes are cognate programs. Common CIP Code classifications should serve as the base premise for determining cognate programs. Shared courses across majors and program levels also will be considered. Electives, general education, and/or core courses will not be included in determining programs that can be considered cognate.

The ADHE Director will inform the campus president or chancellor of the programs that will be designated as cognate programs.

Awards of certificates that are embedded within an associate degree program will count toward program productivity standard. When calculating the three-year average of a degree program with embedded certificates, a student will only be counted once—either as certificate or an associate completer. If the highest award of an embedded program does not meet the graduate threshold and produces less than 50% of the graduates in the

entire program (certificates and associate's degree), the highest award will be discontinued if the number of graduates does not meet the threshold within two years.

Programs that are required by programmatic accreditation to offer a higher level award may seek an additional two-year exemption from the 50% highest-award-viability standard by providing evidence from the accreditor of the need for the higher credential and a program-specific enrollment management plan for meeting the threshold at the higher level.

Programs identified as below the viability threshold will have two (2) years to meet the threshold or will be removed from the AHECB approved program inventory.

ADHE will not include SSCHs generated by major courses of programs removed from the approved program inventory in its funding formula calculations. SSCHs removed from the formula will be for courses within a major/program of study that are not required within another major/program of study.

General education courses listed in the Arkansas Course Transfer System (ACTS) will not be subject to loss of funding.

3. Programs discontinued can be reinstated via the new program approval process. Evidence of curricular revision, market demand/analysis, and a student recruitment plan must be provided for each program being reconsidered.
4. When an academic program is identified as below the viability threshold, the institution may request that ADHE reconsider decisions that identified the program as a low viability program. If the request is based on suspected data submission errors, the institution must provide the source, nature, and extent of the data error. Career and technical education programs (CTE) with low degree production may be reconsidered by providing specific evidence of market demand for students who do not complete the degree. Evidence must include a history of high job placement rates at high wages for non-completers.

Institutions may also request a reduction in the viability targets for specific academic programs that are crucial to the institution's role, scope and mission. Evidence must exist that students can graduate in a timely manner (courses needed to complete an associate, bachelors or masters level programs are taught within a two year time frame and courses needed to compete a doctoral level program are taught within a three year time frame). Academic programs with a reduced viability threshold will be monitored based upon the revised threshold. The need for a reduced viability target will be reconsidered after five years.

Institutions submitting programs for reconsideration must follow the appeals process established by the ADHE staff in collaboration with the chief academic officers.

**REAFFIRMATION OF CRITERIA FOR ESTABLISHMENT
OF BRANCH CAMPUSES**

At the regular quarterly State Board of Higher Education meeting held on January 16, 1976 (Agenda Item No. 7), the Board adopted criteria for establishment of branch campuses. The Board approved these criteria under Act 975 of 1975, the substance of which was incorporated into Act 560 of 1977 and is now contained in A.C.A. §6-61-303. The criteria were approved under the provisions of the Administrative Procedure Act, as prescribed by the law.

The Board's practice has been consistent with the provisions of the criteria, the full text of which follows. The following resolution, which was approved on October 23, 1992 (Agenda Item No. 18) reaffirms the Board's 1976 approval of criteria for establishing branch campuses.

RESOLVED, That the State Board of Higher Education reaffirms the January 16, 1976, adoption of criteria on establishment of branch campuses.

FURTHER RESOLVED, That the State Board instructs the Director of the Arkansas Department of Higher Education to furnish copies of the criteria to the presidents, chancellors, and directors of the state colleges and universities.

Citation: [6-61-303](#)

BRANCH CAMPUS CRITERIA

Introduction

Act 975 was passed by the 1975 session of the Arkansas General Assembly for the stated purpose of prohibiting any state-supported institution of higher education from establishing a branch campus or program without first obtaining the approval of the State Board of Higher Education. The Board was authorized to establish reasonable rules, regulations, criteria, guidelines, or standards to be followed by the institutions and the Board with respect to the planning, establishment, location, or development of any branch campus of an existing public institution.

At the same session of the General Assembly, legislation was passed which encouraged the colleges and universities to expand their service functions to the citizens of Arkansas through the provision of courses offered at off-campus locations. The interpreted meaning of the General Assembly in passing what may at first appear to be conflicting measures has been that expanded educational services to the citizens of Arkansas through the provision of courses taught at locations other than on the campus should be pursued but that the development of programs with a degree of permanence and which would require a significant and continuing commitment of funds and other resources should be a significant and continuing commitment of funds and other resources should be started only after thorough planning, a detailed determination of need, and a consideration of other alternatives.

The major problem that arises in this situation is a basis for distinguishing between a branch campus or program and an off-campus operation. In the following two sections, nine elements are considered relevant to distinguishing between the two types of programs with elaboration on each element included.

Off-Campus Operations

The following elements would generally be characteristic of an off-campus operation:

Availability of Degrees

An off-campus operation generally offers courses upon demand and does not provide for the completion of a degree at the off-campus location. Depending upon institutional policies concerning residency at the home campus, students may secure the necessary courses for a degree but this has not been by design at the off-campus operation.

Size and Scope of Offerings

Offerings are normally individual course offerings responding to a particular need in the community and are not sequential. Offerings may change considerably in both level

and field from semester-to-semester. The number of courses offered is typically limited and dependent upon the availability of faculty and a reasonable number of students.

Facilities

Facilities would usually be provided in the community at little or no cost to the institution and there would be no permanence of commitment on the part of the institution for facilities. The facilities would not be under the complete control of the institution.

Institutional Intention and Identification

It is not the intention of the institution to operate or develop the program as a separate entity. The total program is an integral part of programs provided on-campus and the off-campus location carried no separate identification.

Administration

There is no administration separate from that which administers the main campus and no permanent administrative official is assigned at the off-campus location.

Staffing

Teaching and other staff personnel are part-time and temporary or sent from the main campus. No staff is assigned permanently to the off-campus operation.

Student Services

Student services personnel are part-time and temporary or sent from the main campus. No staff is assigned permanently to the off-campus operation.

Library Services

Permanent library holdings are not assigned at off-campus locations. All library resource materials are located at other facilities in the community or are transported from the main campus.

Accreditation

Accreditation for off-campus locations is a part of accreditation of the main campus and will not be sought for the off-campus location as an operationally independent agency.

Branch Campuses or Programs

The following elements would typically be characteristic of a branch campus or program:

Availability of Degrees

It would normally be possible for students to attain degrees through attendance only at the branch campus or program.

Size and Scope of Offerings

The number of courses offered would normally be larger than an off-campus location and they would be in planned, sequential orders so that students could regularly work toward degrees.

Facilities

Facilities would normally be a part of a permanent or long-range commitment on the part of the institution. It would not be unusual for facilities to be owned by, leased by, or otherwise under the complete control of the institution.

Institutional Intention and Identification

It is the intention of the institution to operate the remote location as a separate entity and may even carry a separate designation that would identify the location.

Administration

Local operation of the remote location is under a separate and identifiable administrative unit. Administrative personnel may be assigned at the remote location on a part-time or full-time basis.

Staffing

There would be more permanence of staff at the location and some staff would be assigned there on a full-time basis.

Student Services

Regular counseling or other student services would be available at the remote location.

Library Services

Permanent library resources would be available at the remote location.

Accreditation

Accreditation would be sought for the remote location as an operationally independent operation.

Criteria for Reviewing Branch Campuses

There are basically two ways a branch campus or program can be developed. The first is through a planned development process and the other is through the gradual evolution of an off-campus location that grows due to the demands of the geographic area it serves.

Planned Development

Establishment of a branch campus or program through planned development would result when an institution recognized a need in a community where no higher education institution existed and the development of the branch would primarily be planned as an entity to be established at a given time with all relevant services and resources provided on a planned schedule. It would not be necessary for every aspect of the branch campus or program to adhere strictly to the defined elements included in other sections of this document depending upon various situations that could exist but the defined elements would be the primary basis for evaluating the planned branch campus or program.

If an institution wished to develop a branch campus or program, it would be necessary for a proposal to be developed for presentation to and consideration by the State Board of Higher Education. Such a proposal should be prepared according to the criteria and in the format included in the document entitled Criteria and Procedures for Preparing Proposals for New Programs, which is available at the Department of Higher Education. Development of a branch campus or program in this manner would typically require the appropriation of state funds to support the program at a session of the General Assembly. Therefore, proposals for planned development of branch campuses should be submitted to the State Board of Higher Education in a manner timely to the regular appropriations process. In no case should a proposal be submitted later than the time when the appropriations request is submitted.

Gradual Evolution

A branch campus established through a process of gradual evolution may be quite different from one established through planned development. It is quite conceivable that an off-campus location where a full branch operation is not planned could develop through demands for services to the point that it approaches status as branch or should be reevaluated in those terms. Under these circumstances, the elements identified in the section of this document under the heading "Branch Campuses or Programs" would be applied. Any time an off-campus location meets any one of the criteria listed for a branch campus or program, that off-campus location will be reviewed by the State Board of Higher Education in terms of a branch campus or program. In this respect, the meeting of one of the listed criteria would serve as a means for identifying off-campus locations that may be moving toward or have the potential to become branch campuses. In the review, the institutional intent and likely direction of development of the off-campus location will be given primary consideration.

Legislative Advisement

Due to the concern expressed by the General Assembly regarding the development of branch campuses or programs and the responsibility placed upon the State Board of Higher Education in this area, it will be the intent of the Board to give serious consideration to the need for additional branch campuses, the manner in which any authorized branch campuses are operated with the primary concern being the provision of high quality educational opportunities, and the related costs involved. It will also be the intent of the State Board of Higher Education to allow for input from all sources in considering proposals for branch campuses prior to the time that such a campus will be authorized. To this end, the Board will inform the Arkansas Legislative Council and the Office of the Governor of any actions that have been taken by the board on branch campuses or programs. Each action by the Board will be delayed for a period of 30 days before becoming final to allow time for any desired comment by the Legislative Council or the Governor.

Approved: Agenda Item No. 7
January 16, 1976

Reaffirmed: Agenda Item No. 18
October 23, 1992

**CONDITIONAL ADMISSION FOR HIGH SCHOOL GRADUATES
(REVISED)**

The Arkansas Higher Education Coordinating Board adopted the policy on Conditional Admission for High School Graduates in accordance with Act 1290 of 1997 (A.C.A. §6-60-208), as amended by Act 520 of 1999. The act requires students who are public high school graduates and did not complete the core curriculum to be admitted conditionally to state-supported colleges and universities. The act further requires that these students successfully complete 12 hours of designated college coursework with a minimum of a 2.0 grade point average.

The intent of this agenda item is to have consistent language in related policies. The definition of course unit credit was approved in the Academic Challenge Scholarship rules and regulations to clarify the use of college courses to meet precollegiate core curriculum requirements. This definition also will be used for conditional admission purposes and in other applicable policies.

The Coordinating Board approved the following resolution (Agenda Item No. 16) on October 24, 2003:

RESOLVED, That the Arkansas Higher Education Coordinating Board revises the policy on Conditional Admission for High School Graduates as presented in this agenda item.

FURTHER RESOLVED, That the Board instructs the Director of the Arkansas Department of Higher Education to notify the presidents and chancellors of the public colleges and universities of this policy.

Citation: [6-60-208](#)

CONDITIONAL ADMISSION FOR HIGH SCHOOL GRADUATES (REVISED)

I. General Information and Definitions

Act 1290 of 1997(A.C.A. §6-60-208), as amended by Act 520 of 1999, requires students graduating from high school in 2002 and after to have completed the core curriculum for unconditional admission to public colleges and universities. The following definitions and regulations apply to the implementation of this act. Nothing in the act or these procedures prevents an institution from setting higher admission standards for first-time full- and part-time enrolling students.

All students graduating after May 1, 2002, from Arkansas public high schools, out-of-state high schools, home schooling, private high schools and GED recipients shall be evaluated for the purpose of being granted conditional or unconditional admission status.

A student admitted conditionally is a student admitted to an institution with certain requirements, conditions, or restrictions placed on initial and/or future enrollment status.

A student admitted unconditionally is a student admitted to the institution without requirements, conditions, or restrictions placed on initial enrollment status.

For students seeking unconditional admission to a public four-year college or university, a student must have a cumulative grade point average of 2.0 on a 4.0 scale. There is no grade point average requirement for unconditional admission to public two-year colleges.

In computing an enrolling student's high school grade point average, the grade point average as computed by the high school (converted to a four-point scale) shall be used. A *course unit* is defined as the credit received for completion of one (1) year of a course in high school or as the credit received for completion of one three-credit hour semester college course (science courses must include a laboratory). *Course unit* credit cannot be awarded for any remedial/developmental course. For high school students receiving concurrent credit, the college course used to meet the core curriculum requirement must be in the same discipline as the high school course and only college algebra or a higher-level college mathematics course will meet the requirement for unconditional admission.

Students enrolling in Certificate of Proficiency programs or noncredit courses are exempt from these requirements.

Students who are not seeking a degree or other award above the Certificate of Proficiency and are enrolled part-time are exempt from these requirements.

These requirements apply to all other award-seeking students and to students who must follow course placement guidelines as required by Act 1290 of 1997.

II. Procedures

Each institution shall develop a plan for the implementation of this act using the following guidelines. Each plan must be approved by the Arkansas Higher Education Coordinating Board. Implementation of the approved plan is a condition for receiving state funds.

1. Each institution will designate an office of responsibility for implementation and define the method of informing incoming students of their admission status.
2. Core academic courses, as required in Section 1 (c)(1)(A) and (B) of Act 1290 (see below) will be designated by each institution. Such courses will be regular, nonremedial credit courses as listed in the college catalog. These courses will be listed in the institution's implementation plan. The implementation plan will also include a listing of appropriate technical courses as required in Section 1 (c) (1)(B).

Section 1 (c)

"(1) At a minimum, these conditional admissions standards shall require the following:

- (A) For a student seeking an associate of arts degree or a baccalaureate degree and who failed to successfully complete the core curriculum, completion of twelve, (12) hours of core academic courses and any necessary remedial courses with a cumulative grade point average of 2.0.
 - (B) For a student seeking a diploma, technical certificate or an associate of applied science degree and who failed to successfully complete the core curriculum, completion of six (6) hours of core academics courses and six (6) hours of technical courses required for the diploma, technical certificate or an associate of applied science degree and any necessary remedial courses with a cumulative grade point average of 2.0." (Act 1290 of 1997)
3. Students must successfully complete (defined as a 2.0 GPA) the required hours of core academic subjects and technical courses (as defined in number 2 above) and any remedial courses within the first 30 semester hours, excluding developmental courses. The institution must develop, define, and implement enrollment consequences (i.e., suspension, expulsion, limited course enrollment, etc.) for students who do not successfully complete (2.0 GPA) the required core academic subjects, technical, or remedial courses within the first 30 semester hours, excluding developmental courses.

The institution's regular definition of cumulative grade point average will be used in defining the attainment of a 2.0 grade point average.

4. Transcripts of out-of-state high school students will be evaluated for meeting the core curriculum. Students not meeting either the core curriculum requirement and relevant grade point average requirement will be admitted conditionally.
5. Students who receive a GED or are graduates of home schooling or private high schools after May 1, 2002, must make a composite score of 19 on the American College Test (ACT) or the equivalent score on the SAT, ASSET, or COMPASS in order to be unconditionally admitted. As with all other students, these students must meet the admission requirements of the college or university where they seek to enroll.

Each college and university will submit a plan for the implementation of the guidelines. Plans must be submitted by October 1, 1998.

Approved: Agenda Item No. 28
October 20, 1995

Amended: Agenda Item No. 53
July 24, 1998

Revised: Agenda Item No. 16
October 24, 2003

GUIDELINES FOR THE PREPARATION OF INSTITUTIONAL PLANS FOR THE REDUCTION OF REMEDIATION EXPENDITURES

Act 1141 of 1993 directs the state universities to reduce expenditures of state funds for remediation of traditional college-aged students. The act specifies that this reduction take place in an orderly manner.

The ADHE staff coordinated the work of an advisory committee composed of institutional representatives. Advisory committee members were Dr. Nancy Talburt of the University of Arkansas, Fayetteville; Dr. Joel Anderson and Dr. Charles Donaldson of the University of Arkansas at Little Rock; Dr. Susan Azbell of Ouachita Technical College; Dr. Dan Ball of Southern Arkansas University; Dr. Terry Barnes of Westark Community College; Dr. Mary Benjamin and Mr. Hugh Blaney of the University of Arkansas at Pine Bluff; Dr. Charles Dunn of Henderson State University; Dr. Alan Hoffman of Garland County Community College; Dr. Steven Jones and Dr. Steven Murray of Phillips County Community College; Dr. Mossie Richmond and Dr. Stanley Williams of Arkansas State University; and Dr. Diane Tebbets of Ozarka Technical College. The plan outlined in this agenda item reflects the ADHE staff's understanding of the state's interests in light of the committee's thinking on approaches to implementation of the law.

The degree of diversity found among the four-year campuses suggests that the state plan must accommodate a range of institutional missions while ensuring reductions in spending for remediation. The plan that appears in the following pages of this item addresses these two requirements. The suggested State Board resolution would approve the state plan and instruct the ADHE staff to work with campus representatives in specifying institutional components within the context of the state plan.

The following resolution was approved on April 29, 1994 (Item No. 43):

RESOLVED, That the State Board of Higher Education approves the plan to reduce expenditures of state funds on remediation of traditional college-aged students.

RESOLVED, That the State Board instructs the Director of the Arkansas Department of Higher Education to work with the presidents and chancellors of the state universities in the development of institutional proposals, which will complete the state plan, for State Board consideration at the regular January 1995 Board meeting.

FURTHER RESOLVED, That the State Board instructs the Director to work with the presidents of state two-year institutions in developing a plan to address any enrollment and other academic quality issues relating to implementation of Act 1141 of 1993.

Citation: [6-62-107](#), [6-61-110](#), [6-61-221](#)

GUIDELINES FOR THE PREPARATION OF INSTITUTIONAL PLANS FOR THE REDUCTION OF REMEDIATION EXPENDITURES

Background

Act 1141 of 1993 directs all public colleges and universities to report annually to the Department of Higher Education on expenditures and revenues received for remediation. The act provides that the State Board of Higher Education develop a plan consistent with the mission of each institution for the orderly reduction of state funds expended on remediation.

Act 1052 of 1987 requires all public colleges and universities to remediate all entering students not having the necessary skills. Placement test data from the past three years indicate that 40-50 percent of entering college freshmen require some remediation.

Annual Reporting Requirement and Data Collection

Each public two-year and four-year institution will submit to the Department of Higher Education an annual report that includes the following:

1. Total direct and indirect costs of remediation for the previous academic year
2. All sources of revenue, by amount and source, used to fund direct and indirect costs of all remedial courses and programs

This information will be collected through the Uniform Reporting process (see Act 537 of 1993) beginning with the academic year. Restricted funds employed to create academic support programs for special populations will not be considered remediation expenditures. Private and federal funds will not be counted, consistent with Act 1141.

Since the uniform reporting process commences with the academic year, data on expenditures and revenues for remediation for the academic year must be collected by other means. The ADHE staff will develop and distribute forms for the collection of data on direct expenditures and revenues for consistent with the data being collected under uniform reporting. State funds will include both state education and general funds and tuition funds.

Institutional Plans for Reduction of Remediation Expenditures

Each four-year institution will develop a five-year plan for the orderly reduction of remediation expenditures. Institutional proposals will follow the general criteria set forth in this plan but may incorporate campus-specific elements designed meet the objectives of the law.

All institutional plans must address a set of common concerns. In order to ensure that each campus takes these concerns into account, all institutional plans should address the following points:

1. The importance of student body diversity.
2. The expected consequences of higher standards that result from implementation of the plan, stating how these standards will serve to improve the quality of undergraduate education and contribute to the academic success of the students.
3. If applicable, effect a significant reduction in the number of out-of-state students enrolled in remedial courses.
4. Prohibit high school students from enrolling in college remedial courses.
5. Limit to two the number of times a student may repeat a remedial course.
6. Include a section on plans to implement Act 969 of 1993, which concerns conditional admissions. Describe how this requirement might affect the remedial program.
7. Avoid cost-cutting strategies that might jeopardize the quality of remedial programs.
8. Include proposed annual percentage reductions in remediation expenditures for students 21 years of age and younger.
9. Institutional Board of Trustees approval of the plan.

As a matter of course through the uniform reporting system and other means, ADHE will collect data to aid in monitoring the success of the plan. Those data will include

1. The institutional mission statements
2. Reports on remedial courses and program offerings and enrollments for the past five years, reports on the retention rates of remedial students through graduation, and consultant recommendations from the 1992-93 State Board review of developmental education programs.

In order to reduce expenditures for remediation, institutions may initiate any number of strategies consistent with the law and with this plan. Such strategies might include some of the following elements:

1. Changes in admission standards.
2. Establishing appropriate entry-level remedial courses.
3. Requiring students to pay the full cost of instruction for repeat remedial courses.

4. Reducing allowable credit load for students enrolled in remedial courses.
5. Contracting with other institutions to deliver remedial courses.
6. Increasing class sizes for remedial courses.
7. Initiating summer bridge programs for high school graduates whose scores indicate need for remediation.

ADHE Review and SBHE Action*

Draft plans will be due by November 1, 1994. The Department of Higher Education will review the draft plans and work with the institutions on development of final five-year plans by December 15, 1994. The State Board will consider the proposed plans in January 1995.

Recommendation Concerning Two-Year Colleges

Act 1141 requires annual remediation expenditure and revenue reports from both four-year and two-year colleges. The act does not require a ceiling on remediation expenditures or a plan for reduction of remediation expenditures at two-year colleges. Nevertheless, the reduction of remediation expenditures at four-year institutions may affect the demand for remediation at two-year colleges. In order to help two-year institutions determine how to handle the consequences of plan implementation, the ADHE staff will monitor for civil rights impacts and for other unexpected consequences. ADHE staff will work with administrators to develop a statewide strategy for managing the transition.

Approved: Agenda Item No. 43
April 29, 1994

AHECB Policy 5.16 - CONCURRENT ENROLLMENT
Clarifications: Effective Spring 2015

Arkansas law allows for the enrollment of high school students in college-level courses under certain conditions. Concurrent enrollment allows students to obtain credit toward a high school diploma at the same time they earn college credit.

AHECB Resolutions (Adopted July 26, 2013, Effective Fall 2013)

RESOLVED, That the Arkansas Higher Education Coordinating Board approves the policy amendment on concurrent enrollment effective Fall 2013. The concurrent enrollment policy outlines the guidelines for concurrent program participation; however, Arkansas state-supported colleges and universities are not required to participate in a concurrent enrollment program; and a high school/school district may choose to partner with more than one Arkansas college/university for concurrent courses.

FURTHER RESOLVED, That any Arkansas state-supported college or university that chooses to participate in a concurrent enrollment program with a public school district, private high school, or home-school student shall implement and administer the concurrent program in accordance with the policies of the Arkansas Higher Education Coordinating Board and the rules of the Arkansas State Board of Education.

FURTHER RESOLVED, That any college or university that chooses to participate in a concurrent enrollment program must be accredited by the National Alliance of Concurrent Enrollment Partnerships (NACEP) or must be authorized by Arkansas Higher Education Coordinating Board no later than August 1, 2015. A college/university not offering concurrent courses currently must have AHECB initial authorization for the institutional concurrent enrollment program prior to the offering of concurrent courses.

FURTHER RESOLVED, That Arkansas state-supported colleges and universities will not participate with Arkansas Early College High School (AECHS) in the delivery of blended AP/concurrent courses for college credit.

FURTHER RESOLVED, That Arkansas state-supported colleges and universities will not participate with AECHS in the offering of single courses for multiple higher education institutions.

FURTHER RESOLVED, That ADHE staff will review, in cooperation with the Arkansas Department of Education, the blended AP/concurrent course offerings throughout the state to determine if these courses are in keeping with the concurrent enrollment policy as outlined in this agenda item.

FURTHER RESOLVED, That the Coordinating Board instructs the ADHE staff to submit an annual report on concurrent course enrollment to the Board which will include

institutional data on concurrent course offerings and locations, and could include ADHE Executive Staff Recommendations for policy amendments on the administration, continuance, and funding of the concurrent enrollment program.

FURTHER RESOLVED, That the Coordinating Board instructs the Director of the Arkansas Department of Higher Education to provide a copy of the amended policy to presidents and chancellors, academic affairs officers, students affairs officers, and institutional research officers at Arkansas state-supported colleges and universities.

Citation: [6-18-223](#), [6-60-202](#)

AHECB Policy 5.16 - CONCURRENT ENROLLMENT
Clarifications: Effective Spring 2015

I. Concurrent Enrollment is the enrollment of a high school student in a college course taught on a high school campus (or in selected cases on the college campus *or by distance/digital technology*) for high school credit and college-level credit. (Arkansas Code §6-18-223) Concurrent enrollment allows students to obtain credit toward a high school diploma at the same time they earn college credit.

Dual enrollment is the enrollment of a high school student in postsecondary education for college-level credit exclusively. (Arkansas Code §6-60-202)

II. Concurrent Course Credit – Institutional Requirements

For concurrent course enrollments to be counted for FTE/higher education funding purposes, the following conditions must be met:

1. **Program Accreditation/Authorization** - If an institution of higher education offers a concurrent credit course(s) on a high school campus taught by a high school teacher, the institution must be accredited by the National Alliance of Concurrent Enrollment Partnerships (NACEP); **or** the college/university must be approved by the Arkansas Higher Education Coordinating Board (AHECB) to offer courses, including courses offered via distance technology, for concurrent credit.

Clarification: An institutional concurrent enrollment program/policy must be updated based on current AHECB policies.

Clarification: Colleges/universities or other educational entities that offer college courses for concurrent credit to Arkansas high school students must follow Arkansas state educational policies and rules for concurrent enrollment. An out-of-state college or university that chooses to participate in a concurrent enrollment program with a public school district, private high school, or home-school student must be authorized to

offer college courses to Arkansans under Arkansas Code §6-61-301 and AHECB Policy 5.2-ICAC Rules; and shall implement and administer the concurrent program in accordance with the policies of the Arkansas Higher Education Coordinating Board and the rules of the Arkansas State Board of Education.

2. **Concurrent Credit Courses** - Concurrent credit courses must be freshman-level and/or sophomore-level college/university courses that are approved through the established process of an institution and included in the institutional catalog. The general education courses offered for concurrent credit must be listed in the Arkansas Course Transfer System (ACTS). A list of the career and technical education (CTE) courses offered for concurrent credit must be attached to the signed Memorandum of Understanding (MOU) between the high school/school district and the college/university.

The course offered for concurrent credit must meet the same standards as college courses taught on the college/university campus. Students can earn college credit and/or *up to* one unit of high school credit for successful completion of each general education concurrent course and each blended AP/concurrent course that is a minimum of 3 semester credit hours. Students can earn college credit and/or up to one unit of high school credit for successful completion of each CTE course that is a minimum of 3 semester credit hours.

The college/university administration must exercise direct oversight of all aspects of the concurrent course, including participation in the faculty selection, orientation, and evaluation processes.

The instructor teaching the college course for concurrent credit must:

- 1) use the approved college/university course syllabus,
- 2) use the same textbook or a textbook with aligned content and course learning outcomes as approved by the college/university,
- 3) adopt the same learning outcomes and assignments as those developed for the course offered on the college/university campus with limited exceptions approved by the college/university, and
- 4) use the same course grading/*awarding* standards as those on the college/university campus. If departmental exams are used in college/university campus courses, then those course exams must be used at the high school site.

Note: It is understood that one high school may have a concurrent agreement with more than one college/university; however, there should not be unnecessary duplication of college course offerings.

If there is not agreement among multiple institutions offering college courses at one high school/school district, the college/university seeking clarification on the implementation of the concurrent enrollment policy must contact the ADHE Director in writing and follow AHECB Policy: Off-Campus Instruction Policy-Criteria for Conflict Resolution.

Criteria for Conflict Resolution from AHECB Policy

Institutions that seek to offer concurrent *courses at the same high school* and cannot reach agreement between each other, either informally or with a written Memorandum of Understanding, will appeal to the ADHE Director. After receiving a written request from each affected institution that includes pertinent information and data, the ADHE Director will mediate the conflict. If the affected institutions reject the decision of the ADHE Director, the Arkansas Higher Education Coordinating Board will hear evidence, consider staff recommendations, and make a final determination.

In order to determine the merits of presented arguments, the ADHE Director and Board members will require in writing from each institution the following information:

- Mission of institution
- Willingness of institution *to offer the course at the off-campus/high school location*
- Capability of institution
- Type of courses/programs proposed
- Cost to students
- Desire of the community *or local school district*
- History of off-campus offerings in the geographical area *or at the high school*
- Evidence that this *course offering* will not result in unnecessary duplication of *courses/programs*
- Evidence that the *course* offerings will not result in overextension of state's resources
- Other relevant information as determined by the institutions, ADHE Director, and/or ACHEB members

Although the “30-Mile Rule” is not a criterion used to resolve institutional conflicts regarding off-campus *or concurrent* offerings, the AHECB does not look favorably on an institution that encroaches on the service area of a second institution.

3. **AP/Concurrent or IB/Concurrent Blended Courses (College/University Participation Optional)** - Advanced Placement (AP) courses are high school courses in which students are required to take the AP Exam and make the requisite score in order to receive college credit from an Arkansas institution of higher education. (Student enrollments in AP *or IB* courses cannot be reported through the Arkansas Higher Education Student Information System.)

The merging of AP *or IB* courses and general education college courses is allowed under certain circumstances, and these merged courses will be referenced as blended AP/concurrent *or IB*/concurrent courses.

- Colleges and universities that offer blended AP/concurrent *or blended IB*/concurrent courses must ensure that these blended courses meet all the requirements of concurrent courses as set forth in this concurrent enrollment policy.

- The AP course guidelines specified by the College Board in its published course description must be incorporated into the blended AP/concurrent course syllabus, *and the core IB programme requirements must be incorporated into the blended IB/concurrent course syllabus.*
- The *blended AP/concurrent* course syllabus must be submitted by the *high school* teacher for approval by the College Board AP Course Audit; *and the school district must have on file the written documentation of the College Board approval of the blended AP/concurrent course syllabus. A copy of the blended AP/concurrent course syllabus currently approved by the College Board must be submitted for college/university approval during the concurrent instructor/course approval process. A copy of the blended IB/concurrent course syllabus also must be on file at the school district.*
- **All students enrolled in blended AP/concurrent courses are required to take the AP exam;** and the high school must have written documentation on file of the students who took the AP exam with this AP exam data provided to the college/university upon request. *There also must be written documentation on file of the students who took the IB assessment with this assessment data provided to the college/university upon request.*
- Students can earn at least three semester credit hours of college credit and one unit of high school credit for successful completion of one blended AP/ concurrent *or blended IB/concurrent* course only if the student registers for concurrent course credit at the beginning of the term. (A minimum score on the AP exam *or IB assessment* is not required for the student to earn college credit for the blended AP/concurrent *or blended IB/concurrent* course.) All other students enrolled in the blended AP/concurrent *or blended IB/* concurrent course can earn only one unit of high school credit for the course.
- *Students enrolled in these blended AP/concurrent or blended IB/concurrent courses must meet all college/university requirements included in this concurrent enrollment policy.*
- Any high school that cannot furnish data on blended AP/*concurrent or blended IB/concurrent* test takers (during an ADE/ADHE concurrent enrollment program audit) will not be approved for the continued offering of blended AP/*concurrent or blended IB/concurrent* courses.

(The International Baccalaureate (IB) Diploma Programme is a comprehensive two-year curriculum and assessment system that requires students to study six subjects and core components across all disciplines with assessment of student work both by external examiners as well as the students' own teachers to ensure that a common standard is applied equally to the work of all students internationally. Students also may elect to enroll in individual IB courses and receive a minimum course score for college/university recognition.)

4. Concurrent Course Ownership

Institutions of higher education must demonstrate “ownership” of any course offered for concurrent credit for which students are reported for funding purposes. Ownership of courses means that the college/university will:

- Provide the instructors with appropriate training and orientation in course curriculum, assessment criteria, course philosophy, and administrative requirements after approval of the instructors to teach the college/university courses.
- Ensure that instructors receive continuing collegial interaction with college faculty through professional development, required seminars, and site visits. These interactions will address topics such as course content, course delivery, student learning assessment, in-class evaluation, and professional development in the field of study.
- Ensure that students have the opportunity to utilize institutional resources including the college/university library and academic advising on the college/university campus.

Simply awarding college credit to students who are enrolled in concurrent courses offered by a sponsoring college/university does not meet the principle of “course ownership” as described above.

5. Teaching Credentials

Faculty teaching general education concurrent courses must have a master’s degree *that includes* a minimum of 18 graduate college credit hours in the subject area being taught. College or university faculty who travel to the high school or secondary center to teach concurrent courses (and/or faculty and staff that have direct, *official* contact with the high school student) must have a criminal background check and complete the child maltreatment training course as required of public school teachers.

The teacher of the blended AP/concurrent course(s) must have completed AP training in the subject area(s), must have a master’s degree with a minimum of 18 graduate college credit hours in the subject area being taught, must be approved to teach the concurrent course(s) by the college/university, and must provide the college/university with documentation of successful completion of AP training.

Clarification: The teacher of the blended IB/concurrent course(s) must have a master’s degree that includes a minimum of 18 graduate college credit hours in the subject area being taught, and must be approved to teach the concurrent course(s) by the college/university. The high school must provide the college/university with documentation that teacher of the blended IB/concurrent courses(s) has been approved/assigned by the high school to teach the IB course(s).

The instructor of record must be the individual that teaches the concurrent course(s); and for general education concurrent courses and blended AP/concurrent or *blended*

IB/concurrent courses these individuals must have a master's degree that includes a minimum of 18 graduate college credit hours in the subject areas being taught. For the purpose of teaching a concurrent course under this policy, an individual under contract with the school district as a teacher will not be considered an adjunct faculty member of the college/university.

III. Concurrent Course Enrollment

Concurrent College Admission

High school students enrolled in general education concurrent courses will be those who have successfully completed the eighth grade and are admitted to the college/university as non-award seeking students. Each college/university must specify the concurrent admission requirements for high school students.

Concurrent Course Registration

Because discrete classes that totally separate concurrent credit students from non-concurrent credit students may be prohibitive to operate in some cases, those classes with a mixed population must have at least a majority of the students enrolled for concurrent credit; and all high school students enrolled in the concurrent course must meet the same requirements for completion of the course whether or not the student is registered for college credit. The concurrent course withdrawal process and procedures must be implemented in accordance with established college/university guidelines.

Clarification: The high school student must determine upon enrollment/registration whether the concurrent course will be taken for college credit, and the high school student must follow the college/university course withdrawal process. Also, the college/university must use the same course grading/awarding standards as those on the college/university campus, and the concurrent course grades for high school students must be recorded permanently on the college/university transcript.

Concurrent/Dual Course Placement/Statewide Minimum Exam Scores

High school students must have scored 19 or better on the ACT Reading sub-test or have a score on the EXPLORE, PLAN or PSAT assessments (see Table 1) that are projected to produce a 19 or better on the ACT Reading sub-test, or comparable score on the SAT, ASSET or COMPASS, to enroll in any general education (ACTS) course.

Enrollment in English Composition and mathematics courses also require a 19 or better on the respective ACT sub-test or a score on the EXPLORE, PLAN or PSAT assessments (see Table 1) that are projected to produce a 19 or better on the respective ACT sub-tests or comparable score on the SAT, COMPASS or ASSET.

The designated exam scores are statewide minimum scores. **Any college/university campus may elect to set higher minimum scores for general education concurrent courses, and may choose to require the COMPASS or ASSET score in addition to EXPLORE, PLAN, *Aspire* or PSAT scores.**

Table 1

EXPLORE and PLAN Scores that Project an ACT Score of 19

ACT sub-test	ACT/COMPASS/ASSET	EXPLORE	PLAN/Aspire
Reading	19/83/43	14	15/428
Math	19/41/39	15	17/432
English	19/80/45	14	16/428

PSAT Scores that Project the Statewide Minimum SAT Scores

SAT sub-test	SAT	PSAT	ESL Proficiency Level 3
Reading	470	47	
Math	460	46	
English/Writing	450	45	

Clarification: The ACT Aspire benchmark scores in Reading, Math, and English may be used for course placement.

IV. Concurrent Course Enrollment - Data Reporting (via Student Information System)

Only students who are enrolled in concurrent courses for college credit can be counted for FTE purposes by the college/university.

Students enrolled in blended AP/concurrent *or* blended IB/concurrent courses can be counted for FTE purposes.

Students enrolled in career and technical education courses for concurrent credit at a secondary center can be counted for FTE purposes.

High school students enrolled in remedial/developmental courses for concurrent credit cannot be counted for FTE and higher education funding purposes.

(Note: More details on data reporting for concurrent enrollment *may* be included in ADHE guidelines on institutional data submissions.)

V. Concurrent Course Enrollment - Payment of Tuition and Fees

The college/university will establish tuition and fee rates for concurrent students.

Colleges and universities cannot claim student semester credit hours or funding if tuition is not received by the institution in any form.

The high school student shall be responsible for all costs of college/university courses taken for concurrent credit, unless the costs for these courses are paid by the public school district, a college/university scholarship, a grant, or a private foundation. **If the costs for a college/university course(s) are paid by the public school district, a college/university scholarship, a grant, or a private foundation; a signed agreement must exist between the public school district, the external entity or foundation, and the Arkansas state-supported college/university.**

If the college/university sets tuition and fees at a lower rate than the regular full tuition rate on campus, the difference between the regular rate and the charged rate must be reported as an academic scholarship for all purposes and must be reported as such to ADHE.

For formula recommendation purposes, ADHE will include the regular full tuition and fees for all concurrent courses (except remedial/developmental education concurrent courses) in the funding recommendation.

Pursuant to Arkansas Code §6-53-501, the intent of this concurrent policy is that the college courses described above shall include but not be limited to articulated courses designed for instruction of secondary students qualifying for state aid from the public school fund. Nothing in this policy shall preclude money flowing to the secondary centers under Arkansas Code §6-51-305.

High school students enrolled in college/university remedial/developmental education courses for concurrent credit cannot be counted for FTE/higher education funding purposes.

Clarification: An institution must be accredited by the National Alliance of Concurrent Enrollment Partnerships (NACEP); **or** effective August 1, 2015, the college/university must have an AHECB-approved Concurrent Enrollment Program *to claim student semester credit hours for courses offered for concurrent credit.*

(Note: More details on funding for concurrent enrollment may be included in AHECB institutional finance policy.)

VI. Concurrent Course Enrollment - Career and Technical Education Courses

Students enrolled in Career and Technical Education (CTE) courses that are included in the MOU agreement between the school district and college/university can be awarded college credit and/or up to one unit of high school credit for successful completion of each CTE course that is a minimum of 3 semester credit hours, as delineated in the MOU agreement.

Clarification: CTE courses have not been reviewed for placement or transfer purposes; therefore, there is not a statewide minimum placement score for CTE courses. Faculty members teaching in CTE/occupational skills areas must hold at least an associate degree or appropriate industry-related licensure/certification.

VII. Concurrent Course Enrollment – Remedial/Developmental Education Courses (College/University Participation Optional)

A high school senior who possesses at least an ACT sub-test score of 17 in English, reading or mathematics (or comparable exam score) may enroll in the requisite remedial/developmental education courses in English, reading, and mathematics at an Arkansas state-supported college/university.

A high school senior enrolled in *college/university* remedial/developmental education courses in English, reading and/or mathematics *for concurrent credit* must be notified verbally and in writing by the high school principal or designee that successful completion of remedial/ developmental education courses at one college/university does not guarantee college-level course placement at another Arkansas college/university, unless there is a written/signed college course placement agreement with the other Arkansas college/university.

A *college/university* remedial/developmental education course cannot be used to meet the college/university core subject area/unit requirements in English and mathematics.

A list of the colleges/universities with a signed college course placement agreement must be:

- 1) attached to the signed Memorandum of Understanding (MOU) between the school district and college/university,
- 2) included in the Concurrent Enrollment Student Guide/Information Sheet, and
- 3) posted on the college/university website.

Nothing in this concurrent policy, shall require a college/university or school district to offer remedial/developmental education courses in English, reading and mathematics for concurrent credit.

VIII. Partnership Agreement/Memorandum of Understanding (MOU)

A written and signed Memorandum of Understanding (MOU) must exist to reflect the various expectations, obligations, and responsibilities of all parties.

The MOU must be reviewed annually, and the college/university must provide to the high school a list of all college courses that may be offered for concurrent credit during the school year. The unit of high school credit that will be awarded for each college course must be noted for each concurrent course along with the high school course replacement/substitution. *Courses identified by ADE as math transitions courses will be awarded the same credit as a fourth year math for high school.* The high school/school district or the college/university can modify or terminate the written, signed concurrent agreement during the annual review period.

High school students who desire to enroll in a college or university first must be recommended by their high school principal or designee.

High school students enrolled in college courses for concurrent credit purposes must be 1) informed that the student is responsible for all costs associated with enrollment in the concurrent course, unless the courses are paid by another approved public or private entity; and 2) advised about the potential limitations concerning the transfer of college course credit.

If remedial/developmental education courses in English, reading or mathematics are offered for concurrent credit to high school seniors, a list of the colleges/universities with a signed college course placement agreement must be attached to the MOU, published in the student guide/information sheet, and posted on the college/university website.

The college/university must provide the school district with a student guide or information sheet for concurrent enrollment that the high school must distribute to students and parents that outlines the college/university and school district requirements for student participation. The high school will assure that the student and parent acknowledge that the student will participate in the concurrent program in accordance with the stated college/university and school district participation requirements.

Concurrent program requirements and guidelines required for course instruction must be provided by the college/university to the school district and concurrent instructors.

IX. State Authorization for Concurrent Enrollment Program

A college/university must be accredited by the National Alliance of Concurrent Enrollment Partnerships (NACEP) or be authorized by the Arkansas Higher Education Coordinating Board (AHECB) to participate in the Concurrent Enrollment Program (CEP).

I. College/University offering Concurrent Courses on College/University Campus Only

A college/university only offering concurrent courses on the college/university campus (and does not offer or plan to offer concurrent courses on the high school campus) has satisfied the requirements for initial authorization for Concurrent Enrollment Program participation.

The college/university must submit to ADHE no later than June 1, 2014, a copy of the written, signed MOU agreement between the college/university and high school/school district as verification of the on-campus college/university concurrent enrollment program. The MOU must outline in detail the concurrent enrollment arrangements between the two parties. A copy of the current written, signed MOU agreement must be submitted to ADHE by June 1 of each subsequent year for continued authorization.

Any college/university currently not offering concurrent courses on a high school campus must follow the concurrent program approval process outlined in Item III below; and the college/university must have AHECB authorization for its institutional (high school) concurrent enrollment program prior to the offering of concurrent courses on a high school campus.

II. College/University with NACEP Accreditation Initial Authorization for Concurrent Enrollment Program

All colleges/universities with NACEP accreditation must provide written documentation to ADHE of NACEP accreditation status upon approval of this concurrent policy.

- 1) A college/university currently accredited by NACEP has satisfied the requirements for initial authorization for Concurrent Enrollment Program participation, and must maintain NACEP accreditation for continued CEP participation; or
- 2) **A college/university currently accredited by NACEP has satisfied the requirements for initial authorization for Concurrent Enrollment Program participation and may request AHECB authorization to satisfy the requirements for continued CEP participation when current NACEP accreditation expires. The college/university must submit the written notification to ADHE no later than June 1, 2014, or June 1 of a subsequent year, requesting AHECB authorization for continued CEP participation.**

III. College/University without NACEP Accreditation (and offering Concurrent Courses on High School Campus)

Initial Authorization for Concurrent Enrollment Program

To receive initial authorization through the state review process, developed in cooperation with the colleges and universities, and implemented by the Arkansas Department of Higher Education (ADHE); **a college/university must demonstrate that the college/university concurrent program meets or exceeds all requirements outlined in the AHECB Concurrent Enrollment Program (CEP) policy.**

AHECB approval will be granted to the college/university to offer concurrent credit courses for a period not to exceed seven (7) years once the college/university has submitted a CEP proposal that has been reviewed and recommended for approval by a 3-member review team selected from a panel of reviewers agreed upon by the Concurrent Review Committee (CRC) and ADHE.

The initial proposal for offering concurrent credit must specify how the college/university concurrent enrollment program satisfies each component of the CEP policy by providing evidence of the following:

1. Faculty

Each college/university must have a policy for selecting faculty to teach concurrent courses that meets AHECB guidelines. Each concurrent instructor for general education courses at a minimum must hold a master's degree and have 18 graduate-level hours in the subject to be taught.

Each college/university must have an official transcript on file for each instructor approved for concurrent courses which clearly indicates that the concurrent faculty member has the required academic credentials.

Each college/university must have a description of the orientation process for new concurrent faculty and a sample of information that is provided to concurrent faculty during orientation.

Each college/university must have a description of the plan to assure concurrent faculty receive appropriate professional development.

2. Courses

Each college/university must present a current list of proposed concurrent courses by course name, number (i.e. ENGL 1013), the associated Arkansas Course Transfer System (ACTS) course number, and indicate any pre-requisite courses.

Clarification: Based on AHECB policy, the courses offered for concurrent credit must meet the same standards as college courses taught on the college/university campus; and the concurrent course withdrawal process and procedures must be implemented in accordance with established college/university guidelines.

3. Syllabi and Textbooks

Each college/university must have a policy regarding final approval of concurrent syllabi and textbooks.

4. Students

Each college/university must verify that students have met admission criteria for the college/university and that the process conforms to AHECB guidelines.

Each college/university must provide an explanation of how grades are awarded and recorded with the college/university Registrar; *and must provide documentation that the college/university course grading/awarding and course recording standards are followed for concurrent courses.*

Clarification: Based on AHECB policy, the courses offered for concurrent credit must meet the same standards as college courses taught on the college/university campus; and the concurrent course withdrawal process and procedures must be implemented in accordance with established college/university guidelines. Therefore, the high school student must determine upon enrollment/registration whether the concurrent course will be taken for college credit, and the high school student must follow the college/university course withdrawal process.

Clarification: The college/university must use the same course grading/awarding standards as those on the college/university campus. Therefore, concurrent course grades for high school students must be recorded permanently on the college/university transcript; and the grades for concurrent courses only can be expunged in accordance with the college/university policy on academic clemency.

5. Student Guide for Concurrent Enrollment

Each college/university must have a student guide for concurrent enrollment available to students and parents that outlines the college/university and school district participation requirements; and includes information regarding syllabi, academic standing, grading, links to ACTS, academic dishonesty, transcripts, current contact information for the concurrent enrollment liaison at the college/university, drop/withdrawal from class, academic due

process guidelines, use of the college/university library, and student evaluation of instruction procedures.

6. Faculty Guide for Concurrent Enrollment

Each college/university must have a faculty guide for concurrent enrollment detailing the syllabus requirements, FERPA requirements, academic dishonesty policy, grading system, access to input grades, grade changes, student academic due process, student evaluation of instruction, policy for students with disabilities, sexual harassment policy, contact information for the college/university concurrent liaison, and child maltreatment and reporting policy, non-compliance policy, and process of faculty evaluation by the academic unit head from the college/university.

7. Assessment

By academic discipline, a description of the process for assuring concurrent course content satisfies the requirements of the college/university academic unit. Examples may include common examinations, approval of concurrent tests by the college/university, common grading criteria, etc.

8. Evaluation

Each college/university will analyze its student success, persistence, and retention data to determine to what extent concurrent credit courses are leading to student success.

9. Memorandum of Understanding

The college/university must have on file a current written, signed Memorandum of Understanding with each high school with whom the college/university offers or desires to offer concurrent enrollment.

The Memorandum of Understanding must include the following:

1. The names and addresses of the college/university and the participating school district/high school;
2. Academic calendar with dates the college/university and the high school must comply;
3. Guidelines and requirements for approval of instructors;
4. Guidelines for approval and assessment of courses;
5. Guidelines and requirements for admission and eligibility of students;
6. Requirements for syllabi;
7. Non-compliance statement;
8. Length of time covered by the MOU and procedures for termination of MOU;
9. Description of the concurrent course billing process.

All evidence indicating how the college/university plans to offer a concurrent enrollment program must be submitted to ADHE by June 1, 2014, (or by June 1 of a subsequent year if concurrent courses will be offered for the first time during the next academic year) for an evaluation by a review team selected from among those designated by the Arkansas Department of Higher Education to serve on the Concurrent Review Committee. The Committee members will be selected by ADHE and will serve for a three-year period.

The CRC evaluation report will be forwarded to the Arkansas Department of Higher Education for consideration of a recommendation for AHECB approval of the institutional concurrent enrollment program.

AHECB Continued Authorization

A college/university with AHECB initial authorization for the Concurrent Enrollment Program can offer courses for concurrent enrollment for a period of up to seven (7) years unless the AHECB requires a follow-up review within the 7-year timeframe and/or the NACEP accreditation has expired.

A college/university that wishes to continue to offer courses for concurrent enrollment must request AHECB reauthorization or must maintain NACEP accreditation.

The request for AHECB CEP reauthorization must include documentation of the following:

1. A current Memorandum of Understanding with each high school with whom the college/university desires to offer concurrent enrollment.
2. A current list of concurrent courses offered by course name, number (i.e. ENGL 1013), the ACTS course number, and any pre-requisites courses.
3. By academic discipline, a description of the process for assuring that concurrent course content satisfies the requirements of the college/university academic unit.
4. A current list of concurrent instructors offering courses for concurrent credit including a statement that each instructor meets the minimum requirements for instruction as required by AHECB and the academic department offering the concurrent credit.
5. An explanation of how grades are awarded and recorded with the college/university Registrar.
6. An analysis of student success, persistence, and retention data to determine to what extent concurrent credit courses are leading to student success for the three years prior to the reauthorization request year.

The information for continued authorization must be submitted to ADHE by June 1 before the expiration date of AHECB CEP initial authorization; and reviewed by a 3-member team selected by ADHE from among those designated to serve on the Concurrent Review Committee. Based on the CRC review, ADHE will make a recommendation to AHECB for continued authorization or a recommendation for discontinuation of the institutional concurrent enrollment program.

A college/university with NACEP accreditation must submit written documentation to ADHE of its current accreditation status within 30 days of NACEP notification of reaccreditation to maintain AHECB CEP continued authorization.

Adopted: Agenda Item No. 19 - October 23, 1998

Revised: Agenda Item No. 38- July 23, 1999; Agenda Item No. 12-April 27, 2007; Agenda
Item No. 2-June 28, 2011
Amendment - Agenda Item No. 5-July 26, 2013
Clarification – Agenda Item No. 8-October 31, 2014, Effective Spring 2015

APPROVAL OF OFF-CAMPUS INSTRUCTION POLICY

During the spring 2001, the Arkansas Higher Education Coordinating Board considered a conflict between Black River Technical College and Arkansas State University as to whether or not BRTC should offer freshman and sophomore courses in Paragould. A special committee of the Board, the 30-Mile Rule Committee, was formed to consider the issue since the "30-mile rule" was in dispute. The committee also began work with ADHE staff to consider various options at resolving related issues. The committee heard testimony from interested parties at a special Board meeting on March 12, 2001. On April 19 the committee and other Board members heard a report from the staff on these various options. At its April 20, 2001, meeting, the entire Board approved for both BRTC and ASU to offer freshman and sophomore courses in the city of Paragould.

Since April, staff has worked with the Executive Council and other presidents and chancellors in arriving at a policy upon which agreement has been reached. The policy provides criteria for the resolution of conflicts to be used by ADHE staff and the Board when institutions disagree about which one should offer courses at an off-campus site.

The following resolution was approved by the Coordinating Board on October 19, 2001 (Agenda Item No. 15);

RESOLVED, That the Arkansas Higher Education Coordinating Board approves the policy on off-campus instruction included in this agenda item, effective October 19, 2001.

FURTHER RESOLVED, That the Coordinating Board instructs the Director of the Arkansas Department of Higher Education to notify all presidents and chancellors of this approval.

Off-Campus Instruction Policy
Arkansas Higher Education Coordinating Board

Introduction

The Arkansas Higher Education Coordinating Board (AHECB) has encouraged access to higher education through a number of policies over the years including support for distance learning initiatives in the state and across the southern region, as well as approval for off-campus programs at sites throughout Arkansas. The Board and its staff believe it is important to promote both access and quality in higher education because the state's educational attainment level remains below the national average with respect to the number of adult Arkansans with college degrees. Furthermore, the Board recognizes that our economy increasingly rewards those with the education and skills to compete in the modern workforce (as well as rewarding the states and communities where such skilled persons live and work).

With the acknowledged need for educational access comes the recognition that resource constraints on the state and its public institutions of higher education limit the extent to which our campuses can be all things to all people. While competition for students has increased access to higher education services, it also puts undeniable strains on fiscal and other institutional resources. This tension between greater access and limited resources presents itself in a number of current and pending requests for approval of new off-campus activities, particularly those where more than one institution seeks to offer services in the same community.

In light of the need for educational access coupled with resource limitations, the purpose of the adopted policy will be to establish guidelines for the delivery of educational courses and programs to students and organizations through off-campus programs and courses. The guidelines also will include criteria to be used by the AHECB when conflicts arise between institutions regarding off-campus instruction.

The following AHECB priorities will be considered when resolving institutional conflicts:

- Provide educational opportunities to all citizens of the state.
- Provide quality off-campus courses/programs at a reasonable cost to students and the state.
- Allow institutions that are currently offering off-campus courses at specific locations to continue to do so.

- Eliminate unnecessary duplication of off-campus courses, programs, and facilities. (A.C.A. § 6-61-206 and 303)
- Reduce the costs of off-campus programs by reducing duplication of institutional effort, thus preventing overextension of state's resources. (A.C.A. § 6-61-303)
- Promote cooperation among two-year and four-year institutions when responding to community educational needs.

In addition to the AHECB's priorities, there are also general assumptions that should be considered in relation to the agreed upon off-campus instruction policy. These general assumptions are as follows:

- Off-campus offerings that existed in 2000-01 will be allowed to continue regardless of service area designations. Once a particular off-campus course/program that is offered outside of an institution's designated service area is discontinued or the offering is interrupted for at least two years, the adopted off-campus instruction guidelines must be followed.

This policy is intended to assign primary responsibility for offering educational services at off-campus locations for two- and four-year institutions. It is not meant to give exclusive rights to one institution over another.

- A branch campus or education center will not have an assigned service area independent of its main campus.
- Student-semester-credit-hours generated by off-campus students who are charged less than the full tuition rate for on-campus students will not be included in the funding formula.
- Disagreements that cannot be resolved between institutions will be resolved either by the ADHE staff or the Coordinating Board. If an institution fails to abide by the ADHE or Coordinating Board decision, then the SSCH generated at the unauthorized location by the institution that was not approved to offer courses at that site will not be included in the funding formula.
- Electronically-delivered instruction will not be subject to off-campus instruction policies if no physical presence is established by the sending institution and if a contract between a student and the institution involves only those two parties. If, however, the instruction is delivered in either real- or delayed-time at a particular location to a defined group of students using technology, then a physical presence has been established. When a physical presence is established, either electronically or through traditional means, off-campus instruction policies will apply.

- The off-campus instruction policy that is adopted will apply only to credit courses. The policy will not apply to workforce, or any other, courses that are offered on a non-credit basis.

AHECB Policy

- All service area designations will continue as they currently exist. Two-year colleges will retain the counties assigned to them in 1992 as areas of primary responsibility.
- Four-year institutions will not have a designated area for off-campus courses/programs.
- Because the “30-Mile Rule” was part of a funding policy adopted for the 1991-93 biennium and was superceded by a new funding policy the following biennium, the “30-Mile Rule” is not a criterion for offering off-campus credit courses.

Criteria for Conflict Resolution

Institutions that seek to offer off-campus instruction and cannot reach agreement between each other, either informally or with a written Memorandum of Understanding, will appeal to ADHE staff. After receiving a written request from each affected institution that includes pertinent information and data, ADHE staff will mediate the conflict. If the affected institutions reject the decision of ADHE staff, the Arkansas Higher Education Coordinating Board will hear evidence, consider staff recommendations, and make a final determination.

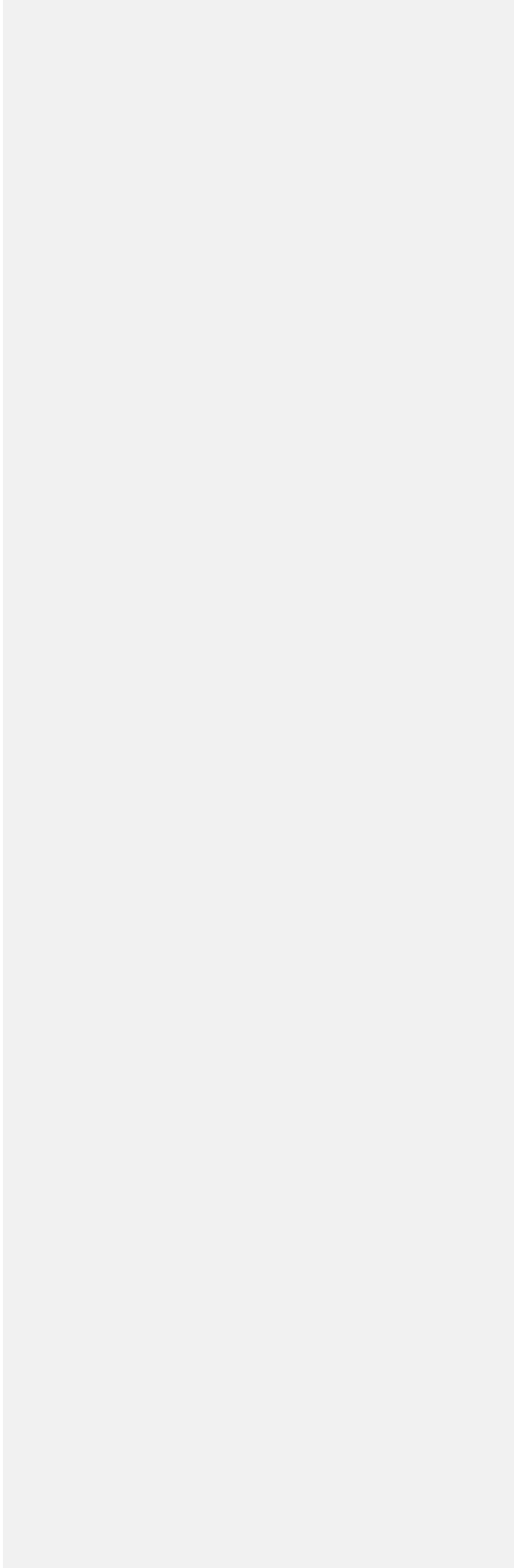
In order to determine the merits of presented arguments, the Department staff and Board members will require in writing from each institution the following information:

- Mission of institution
- Willingness of institution
- Capability of institution
- Type of courses/programs proposed
- Cost to students
- Desire of the community
- History of off-campus offerings in the geographical area
- Evidence that this will not result in unnecessary duplication of programs or facilities
- Evidence that the offerings will not result in overextension of state’s resources
- Other relevant information as determined by the institutions, Department staff, and/or ACHEB members

Although the “30-Mile Rule” is not a criterion used to resolve institutional conflicts regarding off-campus offerings, the AHECB does not look favorably on an institution that encroaches on the service area of a second institution.

Approved: Agenda Item No. 15
October 19, 2001

Reaffirmed: Agenda Item No. 19
October 24, 2003



**APPROVAL OF GUIDELINES AND CRITERIA FOR
ALTERNATIVE ASSESSMENT PLANS**

Act 1085 of 2001 authorizes the Arkansas Higher Education Coordinating Board to provide a framework for the approval of alternative processes or exams for use by Arkansas public colleges and universities in lieu of the Collegiate Assessment of Academic Proficiency. This is to be done no later than the October 2001 AHECB meeting.

A committee of representatives from two- and four-year institutions has met several times with ADHE staff to develop the guidelines for the development of alternative assessment plans and the criteria by which the plans will be evaluated. A final draft was distributed to all chief academic officers and presidents and chancellors. The Executive Council of Presidents and Chancellors considered the proposal on October 2, 2001, and voted to endorse the plan to be considered by the Coordinating Board.

The Coordinating Board approved the following resolution on October 19, 2001 (Agenda Item No. 18):

RESOLVED, That the Arkansas Higher Education Coordinating Board adopts the proposed Board policy, Alternative Plans for Assessment of General Education, included in the agenda item.

FURTHER RESOLVED, That the Coordinating Board instructs the Director of the Arkansas Department of Higher Education to notify all public higher education institutions of this approval.

Citation: [6-61-114](#)

REVISION OF GUIDELINES AND CRITERIA FOR
ALTERNATIVE ASSESSMENT PLANS

Since the approval of the Guidelines and Criteria for Alternative Assessment Plans on October 19, 2001 (Agenda Item No. 18), ADHE staff and members of the Alternative Assessment Committee have had discussions with ACT staff concerning the administration of the CAAP Exam. Through these discussions it became apparent that Arkansas is the only state that uses the present plan of implementation to administer the exam. As a result, it was concluded that it would be possible to revise the implementation plan. It was felt that many institutions might choose to submit an *abbreviated* alternative assessment plan. This would result in most institutions continuing to use CAAP in a manner that would remove many of the negatives for students and continue to provide comparable data for the state.

The Higher Education Coordinating Board approved the following resolution on April 19, 2002 (Agenda Item No. 21):

RESOLVED, That the Arkansas Higher Education Coordinating Board adopts the revised Board policy, Alternative Plans for Assessment of General Education, included in the agenda item.

FURTHER RESOLVED, That the Coordinating Board instructs the Director of the Arkansas Department of Higher Education to notify all public higher education institutions of this approval

GUIDELINES AND CRITERIA FOR ALTERNATIVE PLANS FOR ASSESSMENT OF GENERAL EDUCATION

Act 1085 of 2001 authorizes the Arkansas Higher Education Coordinating Board to provide a framework for the approval of alternative processes or exams for use by Arkansas public colleges and universities in lieu of the Collegiate Assessment of Academic Proficiency. This is to be done no later than the October 2001 AHECB meeting.

AHECB policy states, “The rising junior test, hereinafter referred to as the Arkansas Assessment of General Education (AAGE), will provide data for use in the following ways: (a) as a basis for incentive funding to promote improvement in quality of curriculum and instruction; (b) as one basis, among many, for assessment of student academic achievement, for review of program quality, and for improvement of teaching and learning; and (c) as a basis for reporting statewide results and overall improvements.”

Currently, incentive funding does not exist. The Collegiate Assessment of Academic Proficiency (CAAP) does provide data that some institutions find useful for the purposes listed in “b” and “c” above. From many of the institutions’ perspective, the benefits of utilizing the CAAP for the assessment of student achievement, for review of program quality, and for the improvement of teaching and learning do not justify the costs in terms of resource allocation for the implementation of the exam. These concerns, in addition to the concerns of students, led to the passage of Act 1085.

An alternative assessment plan shall provide data for the purposes listed in “b” and “c” above and should use assessment instruments that allow the results to be used within a statewide report indicating how all institutions are measuring student achievement. If an institution chooses, it may continue to use the CAAP exam as it is currently administered as part of the AAGE. If an institution chooses to employ CAAP but administer it to a sample population or otherwise modify the process of administering the exam, an abbreviated alternative assessment plan, addressing criteria Nos. 5, 6, 10, and 14 (listed below) must be submitted to ADHE for review and approval. Or, an institution may choose to develop an alternative plan as outlined below.

Results from the assessments will be reported to ADHE each year by July 1.

GUIDELINES

Alternative plans will specify how student achievement, progress, skills or competence will be assessed in the following areas:

- Writing/English
- Math
- General Education Science
- Critical Thinking or Reading

Each institutional plan should address the following items:

1. Why?

Describe the goals of your assessment plan in the light of the purposes of the statewide assessment plan described above and the institution's mission and overall goals.

2. Who?

Determine who will comprise the population of students to be assessed: all students or a scientifically valid sample. Describe which students will be assessed. Describe the methodology to be used to ensure that the sample will be scientifically valid.

3. What?

Indicate what assessment instrument will be used to measure each area. Each instrument should meet standards set by accrediting or other recognized professional organizations. If the institution chooses to use a self-developed assessment, it must be demonstrated how the instrument has been validated by an outside source.

In either case, provide a rationale regarding how this instrument can provide a reasonable degree of comparability with a population of students external to the institution in order to demonstrate to constituents throughout Arkansas the level of student achievement and program quality at the institution.

4. When?

When students are given the exam will depend on the method of administration. If an institution plans to test students outside of class with an alternate instrument, then the institution should continue to test students who have earned between 45 and 60 hours. If an institution plans to embed the measure within courses (using either the CAAP or an alternative), then institutions need not be concerned with testing students who have earned a certain number of hours. Institutions embedding tests in courses should indicate in which courses the tests will be given and when the testing will occur.

5. How?

Organize the statement of the assessment plan so that all of the following evaluation criteria are addressed in order.

Assessment Plan Evaluation Criteria

The Institutional Assessment Plan provides a detailed description of the assessment administration process including the elements listed below. The plan

1. clearly states goals and purposes that address both the statewide assessment plan and those of the institution
2. has goals that are reasonable, measurable and attainable, and are linked with expected learning outcomes
3. specifically addresses assessment in the competency areas of Writing/English, Math, General Education Science and Critical Thinking or Reading
4. identifies an appropriate, validated assessment instrument for each competency area (the instrument(s) is/are standardized or meet(s) standards set by accrediting or other recognized professional organizations; self-developed instruments are supported by evidence that they are valid and provide comparable assessment)
5. clearly defines the population of students to be assessed
6. provides and describes statistically valid methodology for selecting student sample if entire population is not assessed; takes into account measures to ensure sample is adequate should extenuating circumstances arise
7. defines incentives for motivating students to participate in the assessment process (i.e., must complete to receive course grade or progress to next semester, priority registration, etc.)
8. defines consequences for failure to take the exam
9. describes how test security is ensured
10. provides a detailed description of the assessment administration process including (1) when the exam(s) will be administered (annual or semester testing dates, range of credit hour completion, capstone experience, etc.), (2) whether or not the exams will be embedded in appropriate general education courses and if so, in what courses, (3) exam security, (4) institutional policies for make-up or exemptions, (5) other
11. provides detailed methodology for reporting assessment outcomes in a format that will clearly indicate the level of students' learning in general education
12. provides format for reporting results to students, institution, and state
13. provides an annual schedule for assessment
14. includes a timeline for implementation within a three-year period following approval

15. has a defined methodology for evaluating the continued effectiveness and appropriateness of the assessment after implementation

IMPLEMENTATION SCHEDULE

An alternative plan should be fully implemented within a three-year period after approval by AHECB. The institution will continue to use the CAAP exam until the alternative plan is implemented. The plan shall indicate the implementation schedule for the assessment plan by providing a timeline of implementation. In order for an alternate assessment plan to be in place for the following academic year, the plan must be approved by the AHECB no later than the April meeting. For 2002-2003 only, the alternative assessment plans must be approved by the AHECB no later than the July meeting.

Approved: Agenda Item No. 18
October 19, 2001

Amended: Agenda Item No. 21
April 19, 2002

MORATORIUM ON NEW CAMPUSES

Background

The Arkansas Higher Education Coordinating Board at its retreat last fall and at the October Board meeting initiated a discussion on, 'Should we have a moratorium on new institutions?'

There is a present policy that differentiates between off-campus activity and branch campus activity. That distinction depends on several criteria, including the amount of activity, like whether a student is able to get an entire degree at an off-campus site. Almost all the institutions have some type of off-campus activity. The present policy does not have a definition of 'stand-alone campus.'

Issues involved in the discussion include:

1. 'Access'-would imposing a moratorium, which freezes the number of institutions or campuses decrease access in a state with a low percentage of students attending and graduating from higher education?
2. If a community wants to pass a tax and build a nice building, will this Board say 'no'? Will we see those in every county? How many of those will we have?
3. Should we concentrate on the quality of education in the state or the quantity? Are we sacrificing quality to continue to support increasing quantity?
4. Do we need 'up to a ten-year moratorium on any new campuses in the state'?

Board members have discussed their concerns about the expanding number of campuses in the state and the need for access of citizens to higher education. The Board asked that the issue be placed on the agenda for the April meeting for consideration by the Coordinating Board of a policy restricting the creation of any new institutions of higher education.

In line with this, the Arkansas Higher Education Coordinating Board is considering adopting a moratorium on any new colleges being established in Arkansas. In the last legislative session a community (Heber Springs) garnered enough legislative support to have an appropriation passed for the establishment of another campus of a four-year university. The community is seeking a mileage to support that operation. There were comments that an 'institution' like Arkansas State-Heber Springs is not a 'new institution', but a 'branch' of Arkansas State-Beebe, which has 'governance' over Heber Springs.

The Board is concerned about such actions continuing across the state. They have directed ADHE to develop a proposal to curtail these efforts.

There is a legitimate public policy debate between increasing access to higher education-Arkansas has a very low percentage of citizens with 2 year and/or 4 year degrees-and how to

deliver higher education services at reasonable cost. The present configuration has an institution within 30 miles of most counties-and in most instances there are off-campus operations in the counties without an institution.

A reasonable concern for the Board is the desire for additional communities around the state to have a 'site-presence' access to higher education. The building and administrative costs of a new branch are considerable. There is some reasonable consensus that there are enough branches-and those services can more economically be delivered through centers and other off-campus operations yet most citizens and community leaders (and legislators) do not understand the distinction between branches and off-campus operations.

The issue of money is terribly important in this discussion-particularly for buildings, other facilities, administration, small school fixed costs and adjustments, economies of scale, and how funding formula(s) treat off-campus operations.

The Board and the legislature have been dealing with how to balance these two contrasting views for 25 years, particularly in 1975, 1977, and 1992.

The legislature in 1975 passed an act to prohibit any public institution of higher education from establishing a 'branch campus or program' without approval of the Board. But the same session encouraged the institutions to expand services at off-campus locations. The Board established two categories: 'Branch Campuses or Programs' and 'Off-Campus Operations', differentiating between them on nine criteria: availability of degrees, size and scope of offerings, facilities, institutional intention and identification, administration, staffing, student services, library services, and accreditation.

The present board policy, adopted in 1992, considers that there are various degrees of off-campus operations and 'an off-campus location . . . could develop through demands for services to the point that it approaches status as branch or should be re-evaluated in those terms.

The present policy provides, ' . . . Any time an off-campus location meets any one of the criteria listed for a branch campus or program, that the State Higher Education Coordinating Board will review off-campus location in terms of a branch campus or program. In this respect, the meeting of one of the listed criteria would serve as a means for identifying off-campus locations that may be moving toward or have the potential to become branch campuses. In the review, the institutional intent and likely direction of development of the off-campus location will be given primary consideration.'

Meanwhile, there are somewhat inconsistent treatments for various purposes for various off-campus operations, as developments occurred to service local needs have moved some off-campus operations to where they aspire to be treated as branches or stand-alone campus status, now or in the next few years. Those include, but may not be limited to: PCCUA campuses in Arkansas County (Stuttgart and Dewitt), and the ASU campus at Heber Springs.

The Arkansas County Campuses (Stuttgart and Dewitt)

Stuttgart has about half as many FTE's as the main campus of Phillips County Community College of UA-Helena. The prevailing perception seems to be that it is an off-campus operation ('center') for PCCUA (Helena) although there may be some dispute over that. Its funding is through the PCCUA appropriation and Revenue Stabilization Act.

There may be concern within the Board for sufficient flexibility so that Stuttgart and Dewitt could become 'stand-alone' campus. The FTE's of the Stuttgart campus are projected to approach parity with Helena in the next few years.

Since a request is pending for consideration of stand-alone campus status for PCCUA-Arkansas County, if PCCUA-Arkansas County meets the provisions of the revised policy with appropriate enrollment figures, then PCCUA-Arkansas County shall be considered for stand-alone campus status at the appropriate time.

Heber Springs

Heber Springs has a separate appropriation for \$350,000 for institutional facilities and \$350,000 for operating expenses for the Heber Springs Center of ASU Beebe. However it has not passed a tax.

When the supporters approached the department in 1999 seeking 'branch' or 'stand alone' status they were told, 'No' (that they could not reasonably meet the criteria in "Procedure for the Establishment of Community Colleges in Arkansas-November, 1989", (particularly the projected FTE) but that the Department would recommend a few hundred thousand dollars (eventually \$350,000 for capital and \$350,000 for operation). (This was in lieu of about \$3 million a year as a full-fledged campus).

Because of preexisting language of Act 426 of 1999 relating to Arkansas State University-Heber Springs and because of pending requests to become a stand-alone campus of Arkansas State University, Arkansas State University-Heber Springs, should it comply with the requirements of stand-alone campus status as outlined in the revised policy, and successfully pass a local sales tax and meet appropriate enrollment, shall be considered for stand-alone campus status at the appropriate time.

Recommendations

ADHE staff recommends to the Board:

1. The creation of a new category of 'stand-alone campus' (see below) only for the purpose of the Moratorium Resolution to be effective from June 1, 2000.
2. That the ADHE staff works with the Executive Council to revise present policy to clarify the definition and criteria of 'branch,' 'center' and 'off-campus operation' and identify present statutes that will need to be amended in the light of the revised policy. The revised policy should be presented to the Coordinating Board at the October 2000 meeting for consideration.

3. Subject to the report of the Non-Baccalaureate Task Force and any action taken by the General Assembly, if any technical institute becomes an institution of higher education, it must affiliate with an existing institution of higher education and will not be granted stand-alone campus status.

STAND-ALONE CAMPUS CRITERIA

Introduction

An institution must apply to the Arkansas Higher Education Coordinating Board for designation as a stand-alone campus. Status will be granted by the Arkansas Higher Education Coordinating Board if the criteria are met and the Arkansas Higher Education Coordinating Board does not find duplication of effort by other institutions or an unreasonable intrusion into an area where the same courses are already being offered by an institution with closer geographic proximity.

Stand-Alone Campus

A stand-alone campus is a full-service operation, with a key criteria of funding as a stand-alone entity and not as part of another institution's funding. A stand-alone campus offers full degree programs (100 percent) on the campus, has permanent administration and faculty, owns (or leases) its building and provides a full range of student services, library resources, etc.

The following elements are characteristic of a stand-alone campus:

Number of students

More than 500 FTE's, for the past three consecutive years

Funding and Appropriation

The branch has a separate appropriation and is treated as a separate entity for formula funding purposes. Must include appropriate local funds (as defined by the Coordinating Board within the next twelve months) for two-year institutions.

Availability of Degrees

It is possible for students to attain degrees through attendance only at the campus.

Size and Scope of Offerings

The number of courses is large and in planned, sequential order so that students could regularly work toward degrees.

Facilities

Facilities are part of a permanent or long-range commitment on the part of the institution. The facilities are primarily owned by, leased by, or otherwise under the complete control of the institution.

Institutional Intention and Identification

It is the intention of the institution to operate as a separate entity and to carry a separate designation that would identify the location.

Administration and Board

Local operation of the remote location is under a separate and identifiable administrative unit that includes a chancellor and/or president. The stand-alone campus may have a governing board (or an advisory board or board of visitors if it is subject to an affiliated with a larger university or system).

Staffing

There is permanent staff at the location on a full-time basis.

Student Services

Admissions, registration, counseling and other student services are available at the campus.

Library Services

Permanent library resources are available at the location.

Accreditation

Accreditation will be promptly sought for the campus as a stand-alone campus.

The following resolution is presented for Board consideration:

WHEREAS, There are 22 (to be 23 with ASU-Newport) two-year colleges in the state of Arkansas; and

WHEREAS, There are 9 four-year universities and the University of Arkansas for Medical Sciences; and

WHEREAS, In 1991, 14 new two-year colleges were added in the state of Arkansas under Act 1244 of 1991; and

WHEREAS, The Arkansas Higher Education Coordinating Board deems it in the best interests of the state of Arkansas to consider the negative consequences of further

dividing the \$560,000,000 presently being sent to colleges and universities in the state of Arkansas; and

WHEREAS, Restricting new institutions for a five-year period will be in the best interests of the state of Arkansas to the extent it will allow appropriate time to examine the wise use and allocation of existing resources, plus sufficient accountability and performance measures on behalf of the existing institutions.

NOW, THEREFORE, BE IT RESOLVED, That the Arkansas Higher Education Coordinating Board adopts Recommendation No.1, the criteria for “stand-alone campuses” as stated above and declares a moratorium for ten (10) years on any new stand-alone campuses, except for the Arkansas County Campuses of Phillips Community College of the University of Arkansas and for the Arkansas State University-Heber Springs, which may achieve stand-alone campus status if and only if they meet the criteria stated and receive the approval of the Coordinating Board.

FURTHER RESOLVED, That the Coordinating Board approves Recommendation Nos. 2 and 3 as stated above and instructs the Director of the Arkansas Department of Higher Education to work with the Executive Council to implement the Recommendation No. 2.

FURTHER RESOLVED, That the Coordinating Board instructs the Director to notify all presidents, chancellors, chairs of the Boards of Trustees of all public institutions of higher education, and appropriate members of the General Assembly of this approval.

Approved: Agenda Item No. 31
April 21, 2000

MORATORIUM ON NEW CAMPUSES

At its April 27, 2000 meeting the Higher Education Coordinating Board adopted a ten (10) year moratorium on new campuses with some caveats for certain emerging sites. That moratorium has expired but the conditions that motivated the Coordinating Board to impose that moratorium continue to exist in 2010. The major reason stated seems to have been concern about the possibility of any further dilution of funding to the existing institutions. It was expressed in the following manner:

“The Arkansas Higher Education Coordinating Board deems it in the best interests of the state of Arkansas to consider the negative consequences of further dividing the \$560,000,000 presently being sent to colleges and universities in the state of Arkansas; and restricting new institutions for a five-year period will be in the best interests of the state of Arkansas to the extent it will allow appropriate time to examine the wise use and allocation of existing resources, plus sufficient accountability and performance measures on behalf of the existing institutions.”

A second consideration was the fact that Arkansas had a very low percentage of citizens with 2 year and/or 4 year degrees, a condition that continues to be of concern today.

The current economic conditions with the budget reductions of the past few years make it even more imperative to protect the funding of the existing institutions against further dilution than existed in 2000. Institutions of higher education in Arkansas have had their funding per FTE student reduced significantly by large enrollment increases, inflation, and declining state support. The addition of new campuses would further imperil the quality of the education the institutions are able to provide the citizens of Arkansas. The anticipated increased enrollment due to the increased availability of scholarships for the coming year, fiscal 2011, will only exacerbate the dilution of the purchasing power of state support per student.

The Executive Staff recommends the following resolution:

RESOLVED, Higher Education Coordinating Board extends the Moratorium on New Campus that was adopted by the Board on April 27, 2000 with all its provisions and exceptions until June 1, 2020.

MORATORIUM ON NEW CAMPUSES

Background

The Arkansas Higher Education Coordinating Board at its retreat last fall and at the October Board meeting initiated a discussion on, 'Should we have a moratorium on new institutions?'

There is a present policy that differentiates between off-campus activity and branch campus activity. That distinction depends on several criteria, including the amount of activity, like whether a student is able to get an entire degree at an off-campus site. Almost all the institutions have some type of off-campus activity. The present policy does not have a definition of 'stand-alone campus.'

Issues involved in the discussion include:

1. 'Access'-would imposing a moratorium, which freezes the number of institutions or campuses decrease access in a state with a low percentage of students attending and graduating from higher education?
2. If a community wants to pass a tax and build a nice building, will this Board say 'no'? Will we see those in every county? How many of those will we have?
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Board members have discussed their concerns about the expanding number of campuses in the state and the need for access of citizens to higher education. The Board asked that the issue be placed on the agenda for the April meeting for consideration by the Coordinating Board of a policy restricting the creation of any new institutions of higher education.

In line with this, the Arkansas Higher Education Coordinating Board is considering adopting a moratorium on any new colleges being established in Arkansas. In the last legislative session a community (Heber Springs) garnered enough legislative support to have an appropriation passed for the establishment of another campus of a four-year university. The community is seeking a mileage to support that operation. There were comments that an 'institution' like Arkansas State-Heber Springs is not a 'new institution', but a 'branch' of Arkansas State-Beebe, which has 'governance' over Heber Springs.

The Board is concerned about such actions continuing across the state. They have directed ADHE to develop a proposal to curtail these efforts.

There is a legitimate public policy debate between increasing access to higher education- Arkansas has a very low percentage of citizens with 2 year and/or 4 year degrees-and how to deliver higher education services at reasonable cost. The present configuration has an

institution within 30 miles of most counties-and in most instances there are off-campus operations in the counties without an institution.

A reasonable concern for the Board is the desire for additional communities around the state to have a 'site-presence' access to higher education. The building and administrative costs of a new branch are considerable. There is some reasonable consensus that there are enough branches-and those services can more economically be delivered through centers and other off-campus operations yet most citizens and community leaders (and legislators) do not understand the distinction between branches and off-campus operations.

The issue of money is terribly important in this discussion-particularly for buildings, other facilities, administration, small school fixed costs and adjustments, economies of scale, and how funding formula(s) treat off-campus operations.

The Board and the legislature have been dealing with how to balance these two contrasting views for 25 years, particularly in 1975, 1977, and 1992.

The legislature in 1975 passed an act to prohibit any public institution of higher education from establishing a 'branch campus or program' without approval of the Board. But the same session encouraged the institutions to expand services at off-campus locations. The Board established two categories: 'Branch Campuses or Programs' and 'Off-Campus Operations', differentiating between them on nine criteria: availability of degrees, size and scope of offerings, facilities, institutional intention and identification, administration, staffing, student services, library services, and accreditation.

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The present policy provides, ' . . . Any time an off-campus location meets any one of the criteria listed for a branch campus or program, that the State Higher Education Coordinating Board will review off-campus location in terms of a branch campus or program. In this respect, the meeting of one of the listed criteria would serve as a means for identifying off-campus locations that may be moving toward or have the potential to become branch campuses. In the review, the institutional intent and likely direction of development of the off-campus location will be given primary consideration.'

Meanwhile, there are somewhat inconsistent treatments for various purposes for various off-campus operations, as developments occurred to service local needs have moved some off-campus operations to where they aspire to be treated as branches or stand-alone campus status, now or in the next few years. Those include, but may not be limited to: PCCUA campuses in Arkansas County (Stuttgart and Dewitt), and the ASU campus at Heber Springs.

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Department would recommend a few hundred thousand dollars (eventually \$350,000 for capital and \$350,000 for operation). (This was in lieu of about \$3 million a year as a full-fledged campus).

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policy. The revised policy should be presented to the Coordinating Board at the October 2000 meeting for consideration.

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Availability of Degrees

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Size and Scope of Offerings

The number of courses is large and in planned, sequential order so that students could regularly work toward degrees.

Facilities

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WHEREAS, There are 9 four-year universities and the University of Arkansas for Medical Sciences; and

WHEREAS, In 1991, 14 new two-year colleges were added in the state of Arkansas under Act 1244 of 1991; and

WHEREAS, The Arkansas Higher Education Coordinating Board deems it in the best interests of the state of Arkansas to consider the negative consequences of further dividing the \$560,000,000 presently being sent to colleges and universities in the state of Arkansas; and

WHEREAS, Restricting new institutions for a five-year period will be in the best interests of the state of Arkansas to the extent it will allow appropriate time to examine the wise use and allocation of existing resources, plus sufficient accountability and performance measures on behalf of the existing institutions.

NOW, THEREFORE, BE IT RESOLVED, That the Arkansas Higher Education Coordinating Board adopts Recommendation No.1, the criteria for “stand-alone campuses” as stated above and declares a moratorium for ten (10) years on any new stand-alone campuses, except for the Arkansas County Campuses of Phillips Community College of the University of Arkansas and for the Arkansas State University-Heber Springs, which may achieve stand-alone campus status if and only if they meet the criteria stated and receive the approval of the Coordinating Board.

FURTHER RESOLVED, That the Coordinating Board approves Recommendation Nos. 2 and 3 as stated above and instructs the Director of the Arkansas Department of Higher Education to work with the Executive Council to implement the Recommendation No. 2.

FURTHER RESOLVED, That the Coordinating Board instructs the Director to notify all presidents, chancellors, chairs of the Boards of Trustees of all public institutions of higher education, and appropriate members of the General Assembly of this approval.

Approved: Agenda Item No. 31
April 21, 2000

INSTITUTIONAL ROLE AND SCOPE DESIGNATIONS

Revised July 2008

ACA 6-61-207 requires the Arkansas Higher Education Coordinating Board to establish appropriate institutional role and scope designations in consultation with college and university personnel. The law also requires periodic review of institutional role and scope designations. The Coordinating Board last adopted role and scope designations for each institution in 1999. Act 502 of 2005 amended ACA 6-61-207 by requiring institutional role and scope to address changing economic needs of the state and the new economy.

At the October 27, 2006 AHECB meeting ADHE staff recommended revisions in the role and scope designations for all of the public universities and two-year colleges. Members of the Coordinating Board expressed a desire to avoid proliferating and/or duplicating graduate programs and preferred that the role and scope designations be written in a straightforward manner. The Board voted to defer the agenda item and ask ADHE staff to work with an external consultant to review the language of the role and scope designations.

ADHE secured the services of Dr. Dennis Jones, President, National Center for Higher Education Management Systems, (NCHEMS) and has worked with him since October 2007. Dr. Jones submitted a draft of recommendations in early June 2008. Since that time, ADHE staff has been working with the institutions and have developed final recommendations. Final staff recommendations on the role and scope designations are found on pages 7-9 through 7-64.

The structure of the report is quite different from the present and past role and scope designations. The report explains the structure on pages 7-6 through 7-8. The following comments will provide background for some of the content within the designations.

The Board has expressed concerns about proliferation of graduate programs. The revised designations have addressed the research roles of the universities in terms of statewide and regional impact. The AHECB has granted approval to five institutions to offer doctoral degrees (ASU, UAF, UALR, UAMS, and UCA). UAF and UAMS have carried out most of the research efforts on a statewide basis. The other three have had limited roles in research and doctoral degrees in the past. Since 1999, when the role and scope designations were last reviewed, several legislative acts have impacted upon the roles of ASU and UALR.

- The **Tobacco Settlement Act of 2000** established research roles for UAF, UAMS and ASU through participation in the Arkansas Biosciences Institute. Among the types of research the Institute conducts include agricultural research with medical implications; bioengineering research focused upon the expansion of genetic knowledge and new applications in agricultural-medical fields; and other research related to tobacco that focuses upon identification and application of new therapeutic approaches to tobacco-related illnesses.
- **Act 563 of 2007** authorized the Arkansas Science and Technology Authority (ASTA) to designate universities that would form the Arkansas Research Alliance. Among the five universities that offer doctoral programs ASU, UAF, UALR and UAMS were

selected to participate in the alliance. Act 563 states that ASTA will work with the presidents and chancellors of the research universities and the private sector to improve the state's economy through improving research infrastructure; increase the focus on job-creating research activities and expanded job-creating research activities toward producing more knowledge-based and high-technology jobs in the state.

In 2004, the Milken Institute published a report, "Arkansas' Position in the Knowledge-based Economy". The report recommended that the state utilize key resources, including research institutions, to boost research and science in Arkansas. The report included UALR as one of these institutions.

Given the legislative recognition, the staff recommends language in the role and scope designations of ASU and UALR that reflects their expanded roles in research in Arkansas.

ADHE Executive Staff recommend that the Arkansas Higher Education Coordinating Board approve the following resolution:

RESOLVED, That the Arkansas Higher Education Coordinating Board approves the role and scope designations for Arkansas public colleges and universities as outlined in this agenda item, effective immediately.

FURTHER RESOLVED, That the Coordinating Board instructs the Director of the Arkansas Department of Higher Education to notify the presidents, chancellors, chief academic officers, and institutional board chairs of this action.

Citation: [6-61-207](#)

**ARKANSAS INSTITUTIONS OF HIGHER EDUCATION
ROLE AND SCOPE DESIGNATIONS
Revised July 2008**

Introduction

The Arkansas Higher Education Coordinating Board is charged with establishing appropriate role and scope designations for each public higher education institution in consultation with representatives of the colleges and universities. The statute under which this responsibility is assigned to the Coordinating Board (ACA 6-61-207) also requires that these designations be reviewed on a periodic basis. An amendment to this Act, enacted in 2005, requires these designations to incorporate consideration of the changing economic needs of the state.

The designations under which institutions are currently operating were adopted in 1999. In keeping with the requirement for periodic reviews, the Coordinating Board has undertaken a process designed to yield an updated set of role and scope designations. The results of this effort were presented to the Board for action in October 2007. Concerns expressed by members of the Board led to a deferral of action and a staff decision to engage an external consultant to work with them and representatives of the colleges and universities to develop a set of role and scope designations acceptable to the Board.

It is within this context that staff of the National Center for Higher Education Management Systems (NCHEMS) were asked to:

- Review the 1999 versions of role and scope statements.
- Review the set of statements proposed in 2006 along with information reflecting concerns expressed by Board members.
- Prepare draft statements of mission/role/scope for each public institution in Arkansas.
- Review this draft material at a meeting with Department of Higher Education (DHE) staff and others and submit a final set of suggested statements incorporating modifications to the draft agreed upon at this meeting.

General Approach

In describing the mission/role/scope of colleges and universities, NCHEMS has found it useful to establish such designations by delineating:

- Audiences to be served
- The general array of programs to be offered
- Any special or unique features of institutional mission

1. Audiences

Among the characteristics of audiences to be served are those expressed in terms of:

- Geography—what geographic area is the institution expected to serve?
- Academic preparation—does the institution admit only students with high levels of academic preparation, or does it serve adults regardless of prior levels of academic preparation?

- Age/full-time status. Does the institution primarily serve recent high school graduates, or does it have a special role in serving older (often part-time) students?
- Race/ethnicity. Does the institution have a special role in serving specific subpopulations—African-Americans, Latinos, Native-Americans?
- Employers. Is the institution expected to serve employers:
 - In a region?
 - In specific industries?

2. Array of Programs and Services

Chief among the considerations on this dimension are:

- Level of program. Is the institution authorized to offer doctoral programs? Masters programs? If a community college, is it authorized to offer any programs at the baccalaureate level?
- Academic fields. In particular, what professional programs is the institution authorized to offer (where “professional” is defined broadly to include *applied* programs such as business, education, engineering, and nursing, as well as the more typically acknowledged professional programs of law, medicine, dentistry, etc.)?

3. Special Features

Among the factors in this category are features such as:

- Research emphasis. Is research a primary expectation for the institution? Is the institution expected to create research capacity in specific fields?
- Land-grant status.
- Special delivery capacity. For example, is the institution charged with providing (or managing for the system) online or interactive video courses?

Within this general framework, experience also indicates that it is good practice in the policy sense to avoid the flowery language that often finds its way into descriptions of mission found in promotional pieces. Such language often obscures rather than reveals the true intention of the mission/role/scope statement.

Clear statements of role and scope that adhere to these guidelines have benefits to both institutions and the Coordinating Board. These guidelines will allow for a less onerous new-program-review process as well as a more substantive and clear academic program review process.

A change in institutional role and scope should be a gradual one. Institutions seeking such a substantive change should have established a history of progressing toward such a change so that they can illustrate their institutional capacity to do so. For example, an institution seeking to offer specific courses at a higher degree level than they are currently offering should be able to show that they have the appropriate library holdings to support that change and that they have the economy of scale in student enrollment and current degree production in the academic program to support offering a program with a higher credential. Market demand for the new credential should exist. Some existing faculty should have earned academic credentials that are appropriate to teach at the higher degree level.

Role and scope changes should be a rare occurrence and will most likely involve substantive change reviews by regional and, where applicable, programmatic accreditation agencies. An additional determinant in the decision to approve a role and scope change should be the long-term impact of the state “mix” of institutions with specific role and scope functions.

This set of criteria does **not** mean that certain programs cannot be offered in locations where they are needed and do not currently exist. It does mean, however, that delivery should be under the auspices of an institution with a role and scope that allows delivery without seeking additional approval—either as a joint program with the degree awarded by the “authorized” institution or as a program delivered by an “authorized” institution at an off-campus site.

There is one possible exception to the set of guidelines stated above—the instance in which change of role and scope is forced by an accrediting or licensure organization (as occurred, for example, when entrance to the practice of pharmacy was determined to require a PharmD). In such cases, the approval may have to be granted with the stipulation that approval in no way opens the door to expanding role and scope in fields where change is not essentially mandatory. In particular, expanded role and scope should not be approved for a single program where expansion is voluntary even if the stipulation suggested above is attached; the stipulation will not hold and the floodgates will open to requests for approval of many more programs on an episodic basis.

Institutional Mission/Role/Scope Designations
Revised July 2008

This section contains suggested mission/role/scope statements for each Arkansas institution using the three-part schema described above.

Arkansas State University-Jonesboro

1. Audiences

Primary audiences are:

- Residents of Arkansas, particularly those of the Delta region who have completed a high school education and are seeking either a college degree or continuing professional education.
- Employers, both public and private, seeking well-educated employees, technical assistance and applied research.
- Economic development interests and entrepreneurs in the region and across the state.
- The research community.
- The community and area by providing a broad range of academic and cultural activities and public events.
- K-12 Schools.
- Two-year college transfer students.

2. Array of Programs and Services

ASU offers:

- Associate programs across a range of areas.
- Baccalaureate programs in arts and humanities, the natural sciences and social sciences appropriate for a comprehensive university.
- Baccalaureate and masters programs in a number of professional fields including, but not limited to, agriculture and technology, environmental sciences, communications, education, engineering, nursing and allied health, and business.
- Doctoral programs that meet regional and state needs, most importantly programs in education, heritage studies, environmental sciences, physical therapy, and biosciences.
- Services specifically designed to meet the needs of business and industry, public institutions, and the non-profit sector.

3. Special Features

- Arkansas Biosciences Institute.
- Delta Center for Economic Development and University Museum SITES.
- Beck PRIDE Program for Wounded Veterans.\

Arkansas Tech University

1. Audiences

Arkansas Tech University (ATU) is responsible for serving:

- Residents of the northwest quadrant of Arkansas who have completed a high school education and are seeking either a college degree or continuing professional education and residents of the state through specific degree programs and services.
- Employers in the region, both public and private—school districts, health care providers, local governments, and private businesses.
- Economic development interests and entrepreneurs in the region.
- The community and area by providing a broad range of academic and cultural activities and public events.
- Area K-12 schools seeking college general education courses for advanced students.
- Two-year college transfer students.

2. Array of Programs and Services

ATU serves these audiences by offering:

- Certificate and associate degree programs in applied technologies, nursing and allied health.
- Baccalaureate programs in arts and humanities, the natural sciences, and social sciences appropriate to a teaching institution with a predominantly undergraduate student body.
- Baccalaureate and masters programs in the professional fields of communications, information technology, engineering, education, nursing and allied health, and business.
- Services specifically designed to meet the needs of regional economic development (small business development, support for entrepreneurs, problem-solving).

3. Special Features

- Engineering programs, including an associate degree in nuclear engineering, emergency administration and management, geology, and hospitality administration.
- Arkansas Tech University-Ozark campus provides education in associate and certificate programs.

Henderson State University

1. Audiences

Henderson State University (HSU) is responsible for serving:

- Residents of southwest Arkansas who have completed high school and are seeking either a college degree or continuing professional education and residents of the state through specific degree programs and services.
- Employers in the region, both public and private—school districts, health care providers, local governments, and private businesses.
- Economic development interests and regional entrepreneurs.
- The community and area by providing a broad range of academic and cultural activities and public events.
- Area K-12 schools seeking college general education courses for advanced students.
- Two-year college transfer students.

2. Array of Programs and Services

HSU serves these audiences by providing:

- An array of liberal arts programs at the baccalaureate level—arts and humanities, social sciences, natural sciences—appropriate to a teaching institution with a predominantly undergraduate student body.
- Baccalaureate programs in education, business, and nursing.
- Masters programs in education, the liberal arts, and business.
- An Education Specialist program.
- Services specifically designed to meet the needs of regional economic development (small business development, support for entrepreneurs, problem-solving).

3. Special Features

- HSU has adopted the mission of the state's Public Liberal Arts University.
- Baccalaureate program for training commercial airline pilots.

Southern Arkansas University

1. Audiences

Southern Arkansas University (SAU) in Magnolia is responsible for serving:

- Residents of southwest and south central Arkansas who have completed a high school education and are seeking either a college degree or continuing professional education and residents of the state through specific degree programs and services.
- Employers in the region, both public and private—school districts, health care providers, local governments, and private businesses.
- Economic development interests and entrepreneurs in the region.

- The community and area by providing a broad range of academic and cultural activities and public events.
- Area K-12 schools seeking college general education courses for advanced students.
- Two-year college transfer students.

2. Array of Programs and Services

SAU serves its primary audiences by providing:

- An associate and baccalaureate-level program in nursing.
- Baccalaureate programs in arts and humanities, the natural sciences, and social sciences appropriate to a teaching institution with a predominantly undergraduate student body.
- Baccalaureate programs in the professional fields of business, education, nursing, and human services (i.e., social work and criminal justice).
- Masters programs in education, computer science, kinesiology, counseling, public administration, and business administration, and agriculture.
- Services specifically designed to meet the needs of regional economic development (small business development, support for entrepreneurs, problem-solving).

3. Special Features

- Agriculture and education programs.
- Regional natural resources research with emphasis in lignite development.
- Nursing programs to assist regional medical community needs.

University of Arkansas, Fayetteville

1. Audiences

The University of Arkansas, Fayetteville (UAF) has a statewide mission. As such, its audiences are:

- Residents from throughout Arkansas who have excelled in high school studies and are seeking to complete baccalaureate degrees.
- Individuals seeking graduate and professional degrees.
- Employers, both public and private, seeking not only well-educated employees but technical assistance and applied research.
- Economic development interests and entrepreneurs throughout the state.
- Academic disciplines and the research community.

- The community and area by providing a broad range of academic and cultural activities and public events.
- Two-year college transfer students.

2. Array of Programs and Services

UAF offers:

- A broad range of baccalaureate, masters, doctoral and professional programs that include core arts and sciences, agriculture, architecture, journalism, information sciences, education, engineering, law, public administration, nursing, allied health, and business.
- Basic and applied research
- Services specifically designed to meet the needs of statewide economic development— continuing professional education, technical and professional services, support of small businesses and entrepreneurs, and technology transfer.

3. Special Features

- UAF is the state's 1862 land-grant institution and is classified as a Carnegie high research activity university.
- Nationally competitive research and economic development activity in emerging areas such as nanotechnology, laser technology, biotechnology, and sustainability.
- Library resources and special holdings such as the Fulbright papers made available through on-site and electronic access to student and faculty scholars and citizens throughout the state.

University of Arkansas - Fort Smith

1. Audiences

The University of Arkansas - Fort Smith (UAFS) is responsible for serving:

- Residents of west and west central Arkansas who have completed a high school education and are seeking a college degree or continuing professional education and residents of the state through specific degree programs and services.
- Employers in the region, both public and private—including school districts, health care providers, local governments, and private businesses.
- Economic development interests and entrepreneurs in the region.
- The community and area by providing a broad range of academic and cultural activities and events.

- Area K-12 schools seeking college general education courses for advanced students.
- Two-year college transfer students.

2. Array of Programs and Services

UAFS serves these audiences by providing:

- Certificate and associate degree programs in the applied technologies, nursing and allied health fields.
- Baccalaureate programs in arts and humanities, the natural sciences, and social sciences appropriate to a teaching institution with an undergraduate student body.
- Baccalaureate programs in the applied fields of nursing and allied health, education, applied sciences, and business.
- Services designed specifically to meet the needs of regional economic development (small business development, support for entrepreneurs, problem-solving).

3. Special Features

- Incorporation of applied, hands-on learning experiences as an integral component of educational programs.
- Integration of a globally focused approach to general education and enhanced international study options in all degree programs.
- Experiential learning emphases and internship opportunities in most majors.

University of Arkansas at Little Rock

1. Audiences

As the state's metropolitan university, the University of Arkansas at Little Rock (UALR) has the responsibility for serving:

- Residents of Arkansas and the Little Rock metropolitan area who have completed a high school education and are seeking either a college degree or continuing professional education. As a metropolitan university, the institution serves adult, part-time students in particular.
- Employers across the state, particularly in the region, both public and private, seeking well-educated employees, technical assistance and applied research.
- Economic development interests and entrepreneurs in the region and across the state.
- The research community.
- The community and area by providing a broad range of academic and cultural activities and public events.
- Area K-12 schools seeking college general education courses for advanced students.
- Two-year college transfer students.

2. Array of Programs and Services

UALR serves these audiences by providing:

- Baccalaureate programs in arts and humanities, the natural sciences, and social sciences appropriate to a teaching institution with a predominantly undergraduate student body.
- Associate, baccalaureate and masters programs in the professional fields of particular importance in the region, including journalism and communications, public administration and community services, computer and information science, nursing, human services (including social work and criminal justice), education, engineering, and business.
- Doctoral programs most needed by regional and state employers, most importantly programs in education and applied science.
- Services specifically designed to meet the needs of statewide and regional economic development— continuing professional education, technical and professional services, support of small businesses and entrepreneurs, and technology transfer.

3. Special Features

- Institute for Economic Advancement.
- Nanotechnology Center.
- UALR-UAMS joint academic and research programs.

University of Arkansas at Monticello

1. Audiences

The University of Arkansas at Monticello (UAM) is responsible for serving:

- Residents of southeast Arkansas who have completed a high school education and are seeking a college degree or continuing professional education and residents of the state through specific degree programs and services.
- Employers in the region in both public and private sectors—school districts, health care providers, local governments, and private employers including the agriculture and forest products industries.
- Regional economic development interests and entrepreneurs.
- The community and area by providing a broad range of academic and cultural activities and public events.
- Area K-12 schools seeking college general education courses for advanced students.
- Two-year college transfer students.

2. Array of Programs and Services

UAM serves these audiences by providing:

- Certificate and associate programs in applied technologies including nursing and selected allied health fields.

- Baccalaureate programs in arts and humanities, the natural sciences, and social sciences appropriate to a teaching institution with a predominantly undergraduate student body.
- Baccalaureate programs in the professional fields of forestry, education, community services, nursing, business, and human services (i.e. social work and criminal justice).
- Masters programs in forestry and education.
- Services specifically designed to meet the needs of regional economic development (small business development, support for entrepreneurs, problem-solving).

3. Special Features

- An open admission university.
- Forest Resources program.
- UAM College of Technology campuses in Crossett and McGehee provide education in associate, certificate programs, and the Arkansas Heavy Equipment Operator Training Academy offers training and certification for timber and construction equipment operation.

University of Arkansas at Pine Bluff

1. Audiences

The University of Arkansas at Pine Bluff (UAPB) is responsible for serving:

- Residents of the state of Arkansas, with particular emphasis on the Delta, who have completed high school and are seeking either a college degree or continuing professional education.
- Regional and state employers, both public and private—including school districts, health care providers, local governments, community agencies and private businesses, especially those in agricultural areas.
- Regional and state economic development interests and entrepreneurs.
- The community and area by providing a broad range of academic and cultural activities and public events.
- Area K-12 schools seeking college general education courses for advanced students.
- Two-year college transfer students.

2. Array of Programs and Services

UAPB serves these audiences by providing:

- Baccalaureate programs in arts and humanities, the natural sciences, and social sciences appropriate to a teaching institution with a predominantly undergraduate student body.

- Baccalaureate programs in the professional fields of agriculture, computer and information sciences, education, community services, nursing, regulatory science and business.
- Masters programs in education, substance abuse counseling, and aquaculture and fisheries, agricultural regulations and other areas.
- PhD in aquaculture and fisheries
- Services and programs specifically designed to meet the needs of the state and regional community and economic development with a particular emphasis on diverse and rural populations.

3. Special Features

- Arkansas' historically black university and the state's 1890 land-grant institution.
- Graduate-level Addiction Studies Program.
- Center of Excellence in Aquaculture/Fisheries and USDA Center of Excellence in Regulatory Science.

University of Central Arkansas

1. Audiences

The University of Central Arkansas (UCA) is responsible for serving:

- Residents of the state, particularly those in central Arkansas who have completed high school and are seeking either a college degree or continuing professional education.
- Regional and state employers, both public and private—including school districts, health care providers, local governments, private businesses and community agencies seeking technical assistance and applied research.
- Economic development interests and entrepreneurs in the region and across the state.
- The community and area by providing a broad range of academic and cultural activities and public events.
- Area K-12 schools seeking college general education courses for advanced students.
- Two-year college transfer students.

2. Array of Programs and Services

UCA serves these audiences by providing:

- Baccalaureate arts and science programs in the variety appropriate to a comprehensive, teaching university.

- Baccalaureate programs in the professional fields of journalism, computer and information sciences, education, public administration, nursing and allied health, and business.
- Masters programs in education, business, nursing, allied health and selected arts and science fields.
- Doctoral programs in physical therapy, communicative sciences and disorders, leadership studies, and school psychology.
- Services specifically designed to meet the needs of state and regional economic development.

3. Special Features

- UCA supports Arkansas public schools through the Arkansas Center for Mathematics and Science Education, the Arkansas Public School Resources Center, and other initiatives.
- UCA is a regional center of the Asian Studies Development Program for the East-West Center.
- UCA serves communities and their leaders through the Community Development Institute – the first such organization in the nation, established in 1987 – and related initiatives.

University of Arkansas for Medical Sciences

1. Audiences

The University of Arkansas for Medical Sciences (UAMS) is a statewide institution serving:

- Those individuals seeking an education that will prepare them for entry into the health care professions.
- Health care professionals seeking continuing professional education.
- Employers, most specifically health care providers.
- Patients in locations throughout Arkansas.
- The economic development interests of the state.

2. Array of Programs and Services

To serve these audiences, UAMS provides:

- Certificate and associate programs in allied health fields.
- Baccalaureate programs in nursing and allied health fields.
- Masters programs in biomedical sciences, nursing, allied health and public health.
- Professional doctoral programs in medicine, pharmacy, public health and audiology.
- Ph.D. programs in biomedical sciences, nursing and public health.
- Residency and fellowship programs for physicians
- Basic and applied research.

- Direct patient care through the university hospital, affiliated clinics and a system of Area Health Education Centers.
- Regional programs at many sites throughout Arkansas.
- Services designed to promote economic development through commercialization of results of its biomedical/biotechnology research.

4. *Special Features*

- Growing research productivity relating to cancer, aging, addictions and public health.
- UAMS Arkansas Bioventures, a business and technology incubator.
- Care of patients from all Arkansas counties, all states and many foreign countries.

Arkansas Northeastern College

1. Audiences

Arkansas Northeastern College (ANC) is responsible for serving:

- The residents of Mississippi, Craighead, Poinsett and Greene counties who are seeking:
 - Preparation for transfer to four-year institutions.
 - Career-technical education.
 - Upgrading of skills.
 - Completion of GED.
- Employers in the area seeking employees who have basic workplace and technical skills or employers seeking to upgrade skills of current employees.
- Economic development interests in the area.
- Communities and civic groups within the service area.
- Area K-12 schools seeking college general education courses for advanced students, career and technical programs, and cultural services.

2. Array of Programs and Services

ANC serves the needs of these audiences by providing:

- Basic/workplace skills training.
- General education courses necessary to prepare students for transfer to four-year institutions.
- Career and technical education in applied technologies, nursing and selected allied health fields, criminal justice, and early childhood education.
- Business and industry training to meet the needs of current employers and economic development interests.
- Hosts and facilitates the Adult Basic Education (ABE) program.
- Access to graduate and undergraduate programs needed in the region by brokering the delivery of such programs from other colleges and universities.

- Shared use of facilities (libraries, auditoria, etc.) and other types of institutional assets not available elsewhere in the region.
- An opening for residents of the region to participate in the academic and cultural events sponsored by the college.

3. Special Features

- Member of the Arkansas Delta Training and Education Consortium, which provides a regional approach to meeting current and future educational and business needs in the Arkansas Delta.
- University Center operated since 1992, hosting numerous undergraduate and graduate degree programs.
- “The Solutions Group”, an innovative business and industry training and services organization which operates as a division of the college.

Arkansas State University-Beebe

1. Audiences

Arkansas State University-Beebe (ASUB) is responsible for serving:

- The residents of Jackson, White, Prairie, Woodruff, Lonoke, Craighead, Poinsett and Faulkner counties who are seeking:
 - Preparation for transfer to four-year institutions.
 - Career-technical education.
 - Upgrading of skills.
 - Completion of GED.
- Employers in the area seeking employees who have basic workplace and technical skills or employers seeking to upgrade skills of current employees.
- Economic development interests in the area.
- Communities and civic groups within the service area.
- Area K-12 schools seeking college general education courses for advanced students, career and technical programs, and cultural services.

2. Array of Programs and Services

ASUB serves the needs of these audiences by providing:

- Basic/workplace skills training.
- General education courses necessary to prepare students for transfer to four-year institutions.
- Career and technical education in applied technologies, nursing and selected allied health fields, child care (early childhood), and business.
- Business and industry training to meet the needs of current employers and economic development interests.
- Hosts and facilitates the Adult Basic Education (ABE) program.
- Access to graduate and undergraduate programs needed in the region by brokering the delivery of such programs from other colleges and universities.

- Shared use of facilities (libraries, auditoria, etc.) and other types of institutional assets not available elsewhere in the region.
- An opening for residents of the region to participate in the academic and cultural events sponsored by the college.

3. Special Features

- A two-year agriculture equipment technician program in cooperation with the John Deere Corporation.
- A two-year veterinarian technician program endorsed by and in cooperation with the Arkansas Veterinarian Medical Association.
- A Shale Gas Drilling training program endorsed by and in cooperation with Chesapeake, Nomac, and Union Drilling.

Arkansas State University-Mountain Home

1. Audiences

Arkansas State University-Mountain Home (ASUMH) is responsible for serving:

- The residents of Baxter and Marion counties who are seeking:
 - Preparation for transfer to four-year institutions.
 - Career-technical education.
 - Upgrading of skills.
 - Completion of GED.
- Employers in the area seeking employees who have basic workplace and technical skills or employers seeking to upgrade skills of current employees.
- Economic development interests in the area.
- Communities and civic groups within the service area.
- Area K-12 schools seeking college general education courses for advanced students, career and technical programs, and cultural services.

2. Array of Programs and Services

ASUMH serves the needs of these audiences by providing:

- General education courses necessary to prepare students for transfer to four-year institutions.
- Career and technical education in information sciences, nursing and selected allied health fields, criminal justice, and secretarial sciences.
- Business and industry training to meet the needs of current employers and economic development interests.
- Hosts and facilitates the Adult Basic Education (ABE) program.
- Access to graduate and undergraduate programs needed in the region by brokering the delivery of such programs from other colleges and universities.
- Shared use of facilities (libraries, auditoria, etc.) and other types of institutional assets not available elsewhere in the region.

- An opening for residents of the region to participate in the academic and cultural events sponsored by the college.
- Basic/workplace skills training

3. Special Features

- Unique efforts include collaborative endeavors with the UAMS College of Health-Related Professions to offer programs locally and the only Funeral Science program offered via distance delivery in the state.
- Based on the Northwest Region Occupation Projections from the Department of Workforce Services, and with input from local business and industry partners, offerings at ASUMH address 10 of the identified occupational needs requiring post-secondary education.

Arkansas State University-Newport

1. Audiences

Arkansas State University-Newport (ASUN) is responsible for serving:

- The residents of Jackson, White, Prairie, Woodruff, Lonoke, Craighead, Poinsett and Faulkner counties who are seeking:
 - Preparation for transfer to four-year institutions.
 - Career-technical education.
 - Upgrading of skills.
 - Completion of GED.
- Employers in the area seeking employees who have basic workplace and technical skills or employers seeking to upgrade skills of current employees.
- Economic development interests in the area.
- Communities and civic groups within the service area.
- Area K-12 schools seeking college general education courses for advanced students, career and technical programs, and cultural services.

2. Array of Programs and Services

ASUN serves the needs of these audiences by providing:

- Basic/workplace skills training.
- General education courses necessary to prepare students for transfer to four-year institutions.
- Career and technical education in applied technologies, nursing, education, information systems, and business and office occupations.
- Business and industry training to meet the needs of current employers and economic development interests.
- Hosts and facilitates the Adult Basic Education (ABE) program.
- Access to graduate and undergraduate programs needed in the region by brokering the delivery of such programs from other colleges and universities.

- Shared use of facilities (libraries, auditoria, etc.) and other types of institutional assets not available elsewhere in the region.
- An opening for residents of the region to participate in the academic and cultural events sponsored by the college.

3. Special Features

- A Commercial Driver Training Program.
- Member of the Arkansas Delta Training and Education Consortium, which provides a regional approach to meeting current and future educational and business needs in the Arkansas Delta.
- Only High Voltage Lineman Technology program in the state.

Black River Technical College

1. Audiences

Black River Technical College (BRTC) is responsible for serving:

- The residents of Randolph, Lawrence, Clay and Greene counties who are seeking:
 - Preparation for transfer to four-year institutions.
 - Career-technical education.
 - Upgrading of skills.
 - Completion of GED.
- Employers in the area seeking employees who have basic workplace and technical skills or employers seeking to upgrade skills of current employees.
- Economic development interests in the area.
- Communities and civic groups within the service area.
- Area K-12 schools seeking college general education courses for advanced students, career and technical programs, and cultural services.

2. Array of Programs and Services

BRTC serves the needs of these audiences by providing:

- Basic/workplace skills training.
- General education courses necessary to prepare students for transfer to four-year institutions.
- Career and technical education in applied technologies, child care, cosmetology, nursing and allied health professions, accounting, and secretarial sciences.
- Business and industry training to meet the needs of current employers and economic development interests.
- Hosts and facilitates the Adult Basic Education (ABE) program.
- Access to graduate and undergraduate programs needed in the region by brokering the delivery of such programs from other colleges and universities.
- Shared use of facilities (libraries, auditoria, etc.) and other types of institutional assets not available elsewhere in the region.

- An opening for residents of the region to participate in the academic and cultural events sponsored by the college.

3. Special Features

- Associates program in Fire Training.
- Partnership with the Arkansas Fire Academy and the National Fire Academy.

College of the Ouachitas

1. Audiences

College of the Ouachitas (COTO) is responsible for serving the needs of:

- The residents of Hot Spring, Clark, Dallas, Grant and Saline counties who are seeking:
 - Preparation for transfer to four-year institutions.
 - Career-technical education.
 - Upgrading of skills.
 - Completion of GED.
- Employers in the area seeking employees who have basic workplace and technical skills or employers seeking to upgrade skills of current employees.
- Economic development interests in the area.
- Communities and civic groups within the service area.
- Area K-12 schools seeking college general education courses for advanced students, career and technical programs, and cultural services.

2. Array of Programs and Services

COTO serves the needs of these audiences by providing:

- Basic/workplace skills training.
- General education courses necessary to prepare matriculated students and high school students for transfer to four-year institutions.
- Occupational training in computer sciences and applications, criminal justice, cosmetology, early childhood education, applied technologies, nursing and selected allied health fields, and business and office occupations.
- Business and industry training and apprenticeships, both credit and non-credit, to meet the needs of current employers and economic development interests.
- Hosts and facilitates the Adult Basic Education (ABE) program.
- Access to graduate and undergraduate programs needed in the region by brokering the delivery of such programs from other colleges and universities.
- Shared use of facilities (libraries, auditoria, etc.) and other types of institutional assets not available elsewhere in the region.

- An opening for residents of the region to participate in the academic and cultural events sponsored by the college.

3. Special Features:

- Electrical Apprenticeship program.
- Cosmetology program.
- Paramedic to RN program.

Cossatot Community College of the University of Arkansas

1. Audiences

Cossatot Community College of the University of Arkansas (CCCUA) is responsible for serving:

- The residents of Sevier, Little River, Howard and Pike counties who are seeking:
 - Preparation for transfer to four-year institutions.
 - Career-technical education.
 - Upgrading of skills.
 - Completion of GED.
- Employers in the area seeking employees who have basic workplace and technical skills or employers seeking to upgrade skills of current employees.
- Economic development interests in the area.
- Communities and civic groups within the service area.
- Area K-12 schools seeking college general education courses for advanced students, career and technical programs, and cultural services.

2. Array of Programs and Services

CCCUA serves the needs of these audiences by providing:

- Basic/workplace skills training.
- General education courses necessary to prepare students for transfer to four-year institutions.
- Career and technical education in applied technologies, education and child care, nursing and selected allied health professions, computing and information systems, and general business.
- Business and industry training to meet the needs of current employers and economic development interests.
- Hosts and facilitates the Adult Basic Education (ABE) program.
- Access to graduate and undergraduate programs needed in the region by brokering the delivery of such programs from other colleges and universities.
- Shared use of facilities (libraries, auditoria, etc.) and other types of institutional assets not available elsewhere in the region.
- An opening for residents of the region to participate in the academic and cultural events sponsored by the college.

3. Special Features

- Howard County and Little River County campus locations.
- Various community computer and educational centers.
- Mobile Classrooms.

East Arkansas Community College

1. Audiences

East Arkansas Community College (EACC) is responsible for serving:

- The residents of St. Francis, Cross, Lee, Monroe, Woodruff and Poinsett counties who are seeking:
 - Preparation for transfer to four-year institutions.
 - Career-technical education.
 - Upgrading of skills.
- Employers in the area seeking employees who have basic workplace and technical skills or employers seeking to upgrade skills of current employees.
- Economic development interests in the area.
- Communities and civic groups within the service area.
- Area K-12 schools seeking college general education courses for advanced students, career and technical programs, and cultural services.

2. Array of Programs and Services

EACC serves the needs of these audiences by providing:

- Basic/workplace skills training.
- General education courses necessary to prepare students for transfer to four-year institutions.
- Career and technical education in computer systems and applications, police science, nursing and selected allied health professions, business and office occupations.
- Business and industry training to meet the needs of current employers and economic development interests.
- Access to graduate and undergraduate programs needed in the region by brokering the delivery of such programs from other colleges and universities.
- Shared use of facilities (libraries, auditoria, etc.) and other types of institutional assets not available elsewhere in the region.
- An opening for residents of the region to participate in the academic and cultural events sponsored by the college.

3. Special Features

- Member of the Arkansas Delta Training and Education Consortium, which provides a regional approach to meeting current and future educational and business needs in the Arkansas Delta.
- Plastic Injection Molding Training facilities.
- A Cisco Regional Academy.

Mid-South Community College

1. Audiences

Mid-South Community College (MSCC) is responsible for serving the needs of:

- The residents of Crittenden and Poinsett counties who are seeking:
 - Preparation for college-level studies.
 - Preparation for transfer to four-year institutions.
 - Career-technical education.
 - Upgrading of skills.
 - Completion of GED.
- Employers in the area seeking employees who have basic workplace and technical skills or employers seeking to upgrade skills of current employees.
- Economic development interests in the area.
- Communities and civic groups within the service area.
- Area K-12 schools seeking college general education courses for advanced students, career and technical programs, and cultural services.

2. Array of Programs and Services

MSCC serves these audiences by providing:

- Basic/workplace skills training.
- General education courses necessary to prepare students for transfer to four-year institutions.
- Career and technical education in computer systems and applications, diesel technology including an engine testing facility and chemical analysis of alternative fuels, advanced manufacturing with an emphasis on Computer Numeric Controls, and other applied technologies.
- Business and industry training to meet the needs of current employers and economic development interests.
- Hosts and facilitates the Adult Basic Education (ABE) program.
- Access to graduate and undergraduate programs needed in the region by brokering the delivery of such programs from other colleges and universities.
- Shared use of facilities (libraries, auditoria, etc.) and other types of institutional assets not available elsewhere in the region.

- An opening for residents of the region to participate in the academic and cultural events sponsored by the college.

3. Special Features

- Member of the Arkansas Delta Training and Education Consortium, which provides a regional approach to meeting current and future educational and business needs in the Arkansas Delta.
- A Cisco Regional Academy.
- The MSCC Technical Center which offers technical training to area high school students in information systems technology, diesel technology, manufacturing, and allied health.

National Park Community College

1. Audiences

National Park Community College (NPCC) is responsible for serving the needs of:

- The residents of Garland, Saline and Montgomery counties who are seeking:
 - Preparation for transfer to four-year institutions.
 - Career-technical education.
 - Upgrading of skills.
 - Completion of GED.
- Employers in the area seeking employees who have basic workplace and technical skills or employers seeking to upgrade skills of current employees.
- Economic development interests in the area.
- Communities and civic groups within the service area.
- Area K-12 schools seeking college general education courses for advanced students, career and technical programs, and cultural services.

2. Array of Programs and Services

NPCC serves the needs of these audiences by providing:

- Basic/workplace skills training.
- General education courses necessary to prepare students for transfer to four-year institutions.
- Career and technical education in child care and education, police and fire sciences, construction trades, applied technologies, nursing and a variety of allied health professions, hospitality management, accounting and office occupations.
- Business and industry training to meet the needs of current employers and economic development interests.
- Hosts and facilitates the Adult Basic Education (ABE) program.
- Access to graduate and undergraduate programs needed in the region by brokering the delivery of such programs from other colleges and universities.
- Shared use of facilities (libraries, auditoria, etc.) and other types of institutional assets not available elsewhere in the region.

- An opening for residents of the region to participate in the academic and cultural events sponsored by the college.

3. Special Features

- Allied Health programs.
- Marine Repair Technology program.
- High School Tech Center.

North Arkansas College

1. Audiences

North Arkansas College (NorthArk) is responsible for serving the needs of:

- The residents of Boone, Carroll, Madison, Newton, Searcy and Marion counties who are seeking:
 - Preparation for transfer to four-year institutions.
 - Career-technical education.
 - Upgrading of skills.
 - Completion of GED.
- Employers in the area seeking employees who have basic workplace and technical skills or employers seeking to upgrade skills of current employees.
- Economic development interests in the area.
- Communities and civic groups within the service area.
- Area K-12 schools seeking college general education courses for advanced students, career and technical programs, and cultural services.

2. Array of Programs and Services

NorthArk serves these audiences by providing:

- Basic/workplace skills training.
- General education courses necessary to prepare students for transfer to four-year institutions.
- Career and technical education in applied technologies, engineering and science technologies, computer systems and applications, nursing and selected allied health professions, business and office occupations.
- Business and industry training to meet the needs of current employers and economic development interests.
- Hosts and facilitates the Adult Basic Education (ABE) program.
- Access to graduate and undergraduate programs needed in the region by brokering the delivery of such programs from other colleges and universities.
- Shared use of facilities (libraries, auditoria, etc.) and other types of institutional assets not available elsewhere in the region.

- An opening for residents of the region to participate in the academic, cultural and athletic events sponsored by the college.

3. Special Features:

- NorthArk with its partner, North Arkansas Regional Medical Center, offers professional and community health education through the North Arkansas Partnership for Health Education to complement its credit allied health programs.
- The NorthArk Technical Center provides technical occupational programs for high schools in NorthArk's service area.
- NorthArk provides opportunities for athletes from its service area high schools to continue their participation in intercollegiate sports including basketball, baseball, softball, and rodeo.

NorthWest Arkansas Community College

1. Audiences

Northwest Arkansas Community College (NWACC) is responsible for serving the needs of:

- The residents of Benton and Washington counties who are seeking:
 - Preparation for transfer to four-year institutions.
 - Career-technical education.
 - Upgrading of skills.
 - Completion of GED.
 - English as a second language (ESL).
- Employers in the area seeking employees who have basic workplace and technical skills or employers seeking to upgrade skills of current employees.
- Economic development interests in the area.
- Communities and civic groups within the service area.
- Area K-12 schools seeking college general education courses for advanced students, career and technical programs, and cultural services.

2. Array of Programs and Services

NWACC serves the needs of these audiences by providing:

- Basic/workplace skills training.
- General education courses necessary to prepare students for transfer to four-year institutions.
- Career and technical education in computer and information sciences, engineering technologies, legal assisting, criminal justice and fire safety, nursing and selected allied health fields, and business management and other career fields/professions as identified by community needs.
- Business and industry training to meet the needs of current employers and economic development interests.
- Hosts and facilitates the Adult Basic Education (ABE) program.
- Access to graduate and undergraduate programs needed in the region by brokering the delivery of such programs from other colleges and universities.

- Shared use of facilities (libraries, auditoria, etc.) and other types of institutional assets not available elsewhere in the region.
- An opening for residents of the region to participate in the academic and cultural events sponsored by the college.

3. Special Features:

- Nationally and internationally delivered programs/services as identified by the region's corporate and business leaders and national organizations including but not limited to the following: The Institute for Corporate and Public Safety, The National Child Protection Training Center (Southern United States), and the Global Business Development Center.

Ozarka College

1. Audiences

Ozarka College (Ozarka) is responsible for serving the needs of:

- The residents of Izard, Fulton, Sharp and Stone counties who are seeking:
 - Preparation for transfer to four-year institutions.
 - Career-technical education.
 - Upgrading of skills.
 - Completion of GED.
- Employers in the area seeking employees who have basic workplace and technical skills or employers seeking to upgrade skills of current employees.
- Economic development interests in the area.
- Communities and civic groups within the service area.
- Area K-12 schools seeking college general education courses for advanced students, career and technical programs, and cultural services.

2. Array of Programs and Services

Ozarka serves the needs of these audiences by providing:

- Basic/workplace skills training.
- General education courses necessary to prepare students for transfer to four-year institutions.
- Occupational training in selected applied technologies, child care and education, culinary arts, nursing and selected allied health fields, and secretarial sciences.
- Business and industry training to meet the needs of current employers and economic development interests.
- Hosts and facilitates the Adult Basic Education (ABE) program.
- Access to graduate and undergraduate programs needed in the region by brokering the delivery of such programs from other colleges and universities.
- Shared use of facilities (libraries, auditoria, etc.) and other types of institutional assets not available elsewhere in the region.

- An opening for residents of the region to participate in the academic and cultural events sponsored by the college.

3. Special Features:

- Significant LPN programs in three counties to provide for the growing need for skilled health care workers in rural north central Arkansas.
- State and nationally recognized Culinary Arts program providing skilled culinary workers that compete regionally for outstanding careers in the food service industry.
- Expanding grant programs to address health, nutrition, exercise and life-long learning for the growing population of senior citizens in north central Arkansas.

Phillips Community College of the University of Arkansas

1. Audiences

Phillips Community College of the University of Arkansas (PCCUA) is responsible for serving the needs of:

- The residents of Phillips, Arkansas, Desha, Lee and Monroe counties who are seeking:
 - Preparation for transfer to four-year institutions.
 - Career-technical education.
 - Upgrading of skills.
 - Completion of GED.
- Employers in the area seeking employees who have basic workplace and technical skills or employers seeking to upgrade skills of current employees.
- Economic development interests in the area.
- Communities and civic groups within the service area.
- Area K-12 schools seeking college general education courses for advanced students, career and technical programs, and cultural services.

2. Array of Programs and Services

PCCUA meets the needs of these audiences by providing:

- Basic/workplace skills training.
- General education courses necessary to prepare students for transfer to four-year institutions.
- Occupational training in computer systems and applications, early childhood/child care, cosmetology, applied technologies, nursing and selected allied health professions, and business.
- Business and industry training to meet the needs of current employers and economic development interests.
- Hosts and facilitates the Adult Basic Education (ABE) program.
- Access to graduate and undergraduate programs needed in the region by brokering the delivery of such programs from other colleges and universities.

- Shared use of facilities (libraries, auditoria, etc.) and other types of institutional assets not available elsewhere in the region.
- An opening for residents of the region to participate in the academic and cultural events sponsored by the college.

3. Special Features

- Member of the Arkansas Delta Training and Education Consortium, which provides a regional approach to meeting current and future educational and business needs in the Arkansas Delta.
- Campuses at Stuttgart and Dewitt.
- Owns and makes available to the public the Pillow-Thompson House widely regarded as one of the finest examples of Queen Anne architecture in the South.

Pulaski Technical College

1. Audiences

Pulaski Technical College (Pulaski Tech) is responsible for serving the needs of:

- The residents of Pulaski, Saline, Faulkner and Lonoke counties who are seeking:
 - Preparation for transfer to four-year institutions.
 - Career-technical education.
 - Upgrading of skills.
 - Completion of GED.
- Employers in the area seeking employees who have basic workplace and technical skills or employers seeking to upgrade skills of current employees.
- Economic development interests in the area.
- Communities and civic groups within the service area.
- Area K-12 schools seeking college general education courses for advanced students, career and technical programs, and cultural services.

2. Array of Programs and Services

Pulaski Tech meets the needs of these audiences by providing:

- Basic/workplace skills training.
- General education courses necessary to prepare students for transfer to four-year institutions.
- Career-technical education in aerospace technology; transportation technology; manufacturing technology; construction technology; information technology; applied technology; engineering technologies; nursing and allied health fields; hospitality, culinary arts, cosmetology and other personal service fields; business, office and paralegal technologies; and early childhood development.
- Business and industry training to meet the needs of current employers and economic development interests.
- Hosts and facilitates the Adult Basic Education (ABE) program.
- Access to graduate and undergraduate programs needed in the region by brokering the delivery of such programs from other colleges and universities.

- Shared use of facilities (libraries, auditoria, etc.) and other types of institutional assets not available elsewhere in the region.
- An opening for residents of the region to participate in the academic and cultural events sponsored by the college.

3. Special Features:

- Pulaski Technical College is the state's largest comprehensive two-year college, offering an extensive array of technical and occupational programs to meet the needs of business and industry.
- College Business and Industry Center serves the corporate and continuing education needs of the state's largest industry sectors (i.e. aerospace, manufacturing, information technology, service, small business, etc.).
- Operates the Arkansas Culinary School, providing associate degrees and technical certificates that meet the needs of the state's hospitality, food and beverage industries.

Rich Mountain Community College

1. Audiences

Rich Mountain Community College (RMCC) is responsible for meeting the needs of:

- The residents of Polk, Scott, Montgomery, Pike and Howard counties who are seeking:
 - Preparation for transfer to four-year institutions.
 - Career-technical education.
 - Upgrading of skills.
 - Completion of GED.
- Employers in the area seeking employees who have basic workplace and technical skills or employers seeking to upgrade skills of current employees.
- Economic development interests in the area.
- Communities and civic groups within the service area.
- Area K-12 schools seeking college general education courses for advanced students, career and technical programs, and cultural services.

2. Array of Programs and Services

RMCC meets the needs of these audiences by providing:

- Basic/workplace skills training.
- General education courses necessary to prepare students for transfer to four-year institutions.
- Occupational training in computer and information systems, child development, selected applied technologies, practical nursing, and business/office occupations.
- Business and industry training to meet the needs of current employers and economic development interests.
- Hosts and facilitates the Adult Basic Education (ABE) program.

- Access to graduate and undergraduate programs needed in the region by brokering the delivery of such programs from other colleges and universities.
- Shared use of facilities (libraries, auditoria, etc.) and other types of institutional assets not available elsewhere in the region.
- An opening for residents of the region to participate in the academic and cultural events sponsored by the college.

3. Special Features:

- Off-campus sites at Waldron, Mt. Ida, and Wickes.
- Hosts Secondary Career Center technical programs for high schools in the service area.
- Involved in the development of the airport industry at the Mena Airport.

South Arkansas Community College

1. Audiences

South Arkansas Community College (SouthArk) is responsible for serving the needs of:

- The residents of Union, Ashley, Chicot and Bradley counties who are seeking:
 - Preparation for transfer to four-year institutions.
 - Career-technical education.
 - Upgrading of skills.
 - Completion of GED.
- Employers in the area seeking employees who have basic workplace and technical skills or employers seeking to upgrade skills of current employees.
- Economic development interests in the area.
- Communities and civic groups within the service area.
- Area K-12 schools seeking college general education courses for advanced students, career and technical programs, and cultural services.

2. Array of Programs and Services

SouthArk meets the needs of these audiences by providing:

- Basic/workplace skills training.
- General education courses necessary to prepare students for transfer to four-year institutions.
- Occupational training in education/early childhood, applied technologies, commercial vehicle operation, nursing and numerous allied health fields, and business and office occupations.
- Business and industry training to meet the needs of current employers and economic development interests.
- Hosts and facilitates the Adult Basic Education (ABE) program.
- Access to graduate and undergraduate programs needed in the region by brokering the delivery of such programs from other colleges and universities.

- Shared use of facilities (libraries, auditoria, etc.) and other types of institutional assets not available elsewhere in the region.
- An opening for residents of the region to participate in the academic and cultural events sponsored by the college.

3. Special Features

- Numerous health science programs. El Dorado is the medical center of South Arkansas.
- Program in teacher education.
- Workforce education programs that have received state and national recognition.

Southern Arkansas University-Tech

1. Audiences

Southern Arkansas University Tech (SAU-Tech) is responsible for meeting the needs of:

- The residents of Ouachita, Calhoun, Columbia and Dallas counties who are seeking:
 - Preparation for transfer to four-year institutions.
 - Career-technical education.
 - Upgrading of skills.
 - Completion of GED.
- Employers in the area seeking employees who have basic workplace and technical skills or employers seeking to upgrade skills of current employees.
- Economic development interests in the area.
- Communities and civic groups within the service area.
- Area K-12 schools seeking college general education courses for advanced students, career and technical programs, and cultural services.

2. Array of Programs and Services

SAU-Tech meets the needs of these audiences by providing:

- Basic/workplace skills training.
- General education courses necessary to prepare students for transfer to four-year institutions.
- Career and technical education in computer systems and applications, engineering technologies, child care education and early childhood and secondary education, police and fire sciences, applied technologies, nursing and selected allied health fields, and business and office occupations.
- Business and industry training to meet the needs of current employers and economic development interests.
- Hosts and facilitates the Adult Basic Education (ABE) program.
- Access to graduate and undergraduate programs needed in the region by brokering the delivery of such programs from other colleges and universities.

- Shared use of facilities (libraries, auditoria, etc.) and other types of institutional assets not available elsewhere in the region.
- An opening for residents of the region to participate in the academic and cultural events sponsored by the college.

3. Special Features

- Arkansas Fire Academy.
- Arkansas Environmental Academy.
- Aviation Maintenance Technologies.

Southeast Arkansas College

1. Audiences

Southeast Arkansas College (SEARK) is responsible for meeting the needs of:

- The residents of Jefferson, Lincoln, Cleveland, Drew, Grant and Desha counties who are seeking:
 - Preparation for transfer to four-year institutions.
 - Career-technical education.
 - Upgrading of skills.
 - Completion of GED.
- Employers in the area seeking employees who have basic workplace and technical skills or employers seeking to upgrade skills of current employees.
- Economic development interests in the area.
- Communities and civic groups within the service area.
- Area K-12 schools seeking college general education courses for advanced students, career and technical programs, and cultural services.

2. Array of Programs and Services

SEARK meets the needs of these audiences by providing:

- Basic/workplace skills training.
- General education courses necessary to prepare students for transfer to four-year institutions.
- Vocational training in computer systems and applications, child care, legal assisting, criminal justice and fire sciences, applied technologies, nursing and selected allied health fields, and business and office occupations.
- Business and industry training to meet the needs of current employers and economic development interests.
- Hosts and facilitates the Adult Basic Education (ABE) program.
- Access to graduate and undergraduate programs needed in the region by brokering the delivery of such programs from other colleges and universities.

- Shared use of facilities (libraries, auditoria, etc.) and other types of institutional assets not available elsewhere in the region.
- An opening for residents of the region to participate in the academic and cultural events sponsored by the college.

3. Special Features:

- Emergency Administration and Management (EMAN) program.
- Contextualized Development Education for Practical Nursing program.
- Revamped Developmental Education to encourage student success.

University of Arkansas Community College at Batesville

1. Audiences

The University of Arkansas Community College at Batesville (UACCB) is responsible for meeting the needs of:

- The residents of Independence, Cleburne, Stone and Sharp counties who are seeking:
 - Preparation for transfer to four-year institutions.
 - Career-technical education.
 - Upgrading of skills.
 - Completion of GED.
- Employers in the area seeking employees who have basic workplace and technical skills or employers seeking to upgrade skills of current employees.
- Economic development interests in the area.
- Communities and civic groups within the service area.
- Area K-12 schools seeking college general education courses for advanced students, career and technical programs, and cultural services.

2. Array of Programs and Services

UACCB meets the needs of these audiences by providing:

- Basic/workplace skills training.
- General education courses necessary to prepare students for transfer to four-year institutions.
- Vocational training in early childhood education, criminal justice, selected applied technologies, nursing and selected allied health fields, and business and office occupations.
- Business and industry training to meet the needs of current employers and economic development interests.
- Hosts and facilitates the Adult Basic Education (ABE) program.
- Access to graduate and undergraduate programs needed in the region by brokering the delivery of such programs from other colleges and universities.

- Shared use of facilities (libraries, auditoria, etc.) and other types of institutional assets not available elsewhere in the region.
- An opening for residents of the region to participate in the academic and cultural events sponsored by the college.

3. Special Features

- Associate of Applied Science in Aviation Maintenance program.
- Member of the University of Arkansas Online Consortium offering complete Associate of Arts Degree on line.
- LPN to RN Online Nursing program.

University of Arkansas Community College at Hope

1. Audiences

The University of Arkansas Community College at Hope (UACCH) is responsible for serving the needs of:

- The residents of Hempstead, Miller, Nevada, Lafayette, Howard and Pike counties who are seeking:
 - Preparation for transfer to four-year institutions.
 - Career-technical education.
 - Upgrading of skills.
- Employers in the area seeking employees who have basic workplace and technical skills or employers seeking to upgrade skills of current employees.
- Economic development interests in the area.
- Communities and civic groups within the service area.
- Area K-12 schools seeking college general education courses for advanced students, career and technical programs, and cultural services.

2. Array of Programs and Services

UACCH meets the needs of these audiences by providing:

- Basic/workplace skills training.
- General education courses necessary to prepare students for transfer to four-year institutions.
- Career and technical education in funeral service and mortuary science, education, child care, criminal justice, applied technologies, practical nursing and selected allied health fields, and business and office occupations.
- Business and industry training to meet the needs of current employers and economic development interests.
- Access to graduate and undergraduate programs needed in the region by brokering the delivery of such programs from other colleges and universities.

- Shared use of facilities (libraries, auditoria, etc.) and other types of institutional assets not available elsewhere in the region.
- An opening for residents of the region to participate in the academic and cultural events sponsored by the college.

3. Special Features:

- Program in Funeral Service Education
- Member of the University of Arkansas Online Consortium offering complete Associate of Arts degree program online.
- Power Plant Technology program.

University of Arkansas Community College at Morrilton

1. Audiences

The University of Arkansas Community College at Morrilton (UACCM) is responsible for serving the needs of:

- The residents of Conway, Van Buren, Pope, Yell, Perry and Faulkner counties who are seeking:
 - Preparation for transfer to four-year institutions.
 - Career-technical education.
 - Upgrading of skills.
 - Completion of GED.
- Employers in the area seeking employees who have basic workplace and technical skills or employers seeking to upgrade skills of current employees.
- Economic development interests in the area.
- Communities and civic groups within the service area.
- Area K-12 schools seeking college general education courses for advanced students, career and technical programs, and cultural services.

2. Array of Programs and Services

UACCM meets the needs of these audiences by providing:

- Basic/workplace skills training.
- General education courses necessary to prepare students for transfer to four-year institutions.
- Career and technical training in education, engineering technologies, child development, applied technologies, nursing, and business.
- Business and industry training to meet the needs of current employers and economic development interests.
- Hosts and facilitates the Adult Basic Education (ABE) program.

- Access to graduate and undergraduate programs needed in the region by brokering the delivery of such programs from other colleges and universities.
- Shared use of facilities (libraries, auditoria, etc.) and other types of institutional assets not available elsewhere in the region.
- An opening for residents of the region to participate in the academic and cultural events sponsored by the college.

3. Special Features

- Programs designed for jobs related to production in the Fayetteville Shale.

INSTITUTIONAL ROLE AND SCOPE DESIGNATIONS

Revised July 2008

ACA 6-61-207 requires the Arkansas Higher Education Coordinating Board to establish appropriate institutional role and scope designations in consultation with college and university personnel. The law also requires periodic review of institutional role and scope designations. The Coordinating Board last adopted role and scope designations for each institution in 1999. Act 502 of 2005 amended ACA 6-61-207 by requiring institutional role and scope to address changing economic needs of the state and the new economy.

At the October 27, 2006 AHECB meeting ADHE staff recommended revisions in the role and scope designations for all of the public universities and two-year colleges. Members of the Coordinating Board expressed a desire to avoid proliferating and/or duplicating graduate programs and preferred that the role and scope designations be written in a straightforward manner. The Board voted to defer the agenda item and ask ADHE staff to work with an external consultant to review the language of the role and scope designations.

ADHE secured the services of Dr. Dennis Jones, President, National Center for Higher Education Management Systems, (NCHEMS) and has worked with him since October 2007. Dr. Jones submitted a draft of recommendations in early June 2008. Since that time, ADHE staff has been working with the institutions and have developed final recommendations. Final staff recommendations on the role and scope designations are found on pages 7-9 through 7-64.

The structure of the report is quite different from the present and past role and scope designations. The report explains the structure on pages 7-6 through 7-8. The following comments will provide background for some of the content within the designations.

The Board has expressed concerns about proliferation of graduate programs. The revised designations have addressed the research roles of the universities in terms of statewide and regional impact. The AHECB has granted approval to five institutions to offer doctoral degrees (ASU, UAF, UALR, UAMS, and UCA). UAF and UAMS have carried out most of the research efforts on a statewide basis. The other three have had limited roles in research and doctoral degrees in the past. Since 1999, when the role and scope designations were last reviewed, several legislative acts have impacted upon the roles of ASU and UALR.

- The **Tobacco Settlement Act of 2000** established research roles for UAF, UAMS and ASU through participation in the Arkansas Biosciences Institute. Among the types of research the Institute conducts include agricultural research with medical implications; bioengineering research focused upon the expansion of genetic knowledge and new applications in agricultural-medical fields; and other research related to tobacco that focuses upon identification and application of new therapeutic approaches to tobacco-related illnesses.
- **Act 563 of 2007** authorized the Arkansas Science and Technology Authority (ASTA) to designate universities that would form the Arkansas Research Alliance. Among the five universities that offer doctoral programs ASU, UAF, UALR and UAMS were

selected to participate in the alliance. Act 563 states that ASTA will work with the presidents and chancellors of the research universities and the private sector to improve the state's economy through improving research infrastructure; increase the focus on job-creating research activities and expanded job-creating research activities toward producing more knowledge-based and high-technology jobs in the state.

In 2004, the Milken Institute published a report, "Arkansas' Position in the Knowledge-based Economy". The report recommended that the state utilize key resources, including research institutions, to boost research and science in Arkansas. The report included UALR as one of these institutions.

Given the legislative recognition, the staff recommends language in the role and scope designations of ASU and UALR that reflects their expanded roles in research in Arkansas.

ADHE Executive Staff recommend that the Arkansas Higher Education Coordinating Board approve the following resolution:

RESOLVED, That the Arkansas Higher Education Coordinating Board approves the role and scope designations for Arkansas public colleges and universities as outlined in this agenda item, effective immediately.

FURTHER RESOLVED, That the Coordinating Board instructs the Director of the Arkansas Department of Higher Education to notify the presidents, chancellors, chief academic officers, and institutional board chairs of this action.

Citation: [6-61-207](#)

**ARKANSAS INSTITUTIONS OF HIGHER EDUCATION
ROLE AND SCOPE DESIGNATIONS
Revised July 2008**

Introduction

The Arkansas Higher Education Coordinating Board is charged with establishing appropriate role and scope designations for each public higher education institution in consultation with representatives of the colleges and universities. The statute under which this responsibility is assigned to the Coordinating Board (ACA 6-61-207) also requires that these designations be reviewed on a periodic basis. An amendment to this Act, enacted in 2005, requires these designations to incorporate consideration of the changing economic needs of the state.

The designations under which institutions are currently operating were adopted in 1999. In keeping with the requirement for periodic reviews, the Coordinating Board has undertaken a process designed to yield an updated set of role and scope designations. The results of this effort were presented to the Board for action in October 2007. Concerns expressed by members of the Board led to a deferral of action and a staff decision to engage an external consultant to work with them and representatives of the colleges and universities to develop a set of role and scope designations acceptable to the Board.

It is within this context that staff of the National Center for Higher Education Management Systems (NCHEMS) were asked to:

- Review the 1999 versions of role and scope statements.
- Review the set of statements proposed in 2006 along with information reflecting concerns expressed by Board members.
- Prepare draft statements of mission/role/scope for each public institution in Arkansas.
- Review this draft material at a meeting with Department of Higher Education (DHE) staff and others and submit a final set of suggested statements incorporating modifications to the draft agreed upon at this meeting.

General Approach

In describing the mission/role/scope of colleges and universities, NCHEMS has found it useful to establish such designations by delineating:

- Audiences to be served
- The general array of programs to be offered
- Any special or unique features of institutional mission

4. Audiences

Among the characteristics of audiences to be served are those expressed in terms of:

- Geography—what geographic area is the institution expected to serve?
- Academic preparation—does the institution admit only students with high levels of academic preparation, or does it serve adults regardless of prior levels of academic preparation?

- Age/full-time status. Does the institution primarily serve recent high school graduates, or does it have a special role in serving older (often part-time) students?
- Race/ethnicity. Does the institution have a special role in serving specific subpopulations—African-Americans, Latinos, Native-Americans?
- Employers. Is the institution expected to serve employers:
 - In a region?
 - In specific industries?

5. Array of Programs and Services

Chief among the considerations on this dimension are:

- Level of program. Is the institution authorized to offer doctoral programs? Masters programs? If a community college, is it authorized to offer any programs at the baccalaureate level?
- Academic fields. In particular, what professional programs is the institution authorized to offer (where “professional” is defined broadly to include *applied* programs such as business, education, engineering, and nursing, as well as the more typically acknowledged professional programs of law, medicine, dentistry, etc.)?

6. Special Features

Among the factors in this category are features such as:

- Research emphasis. Is research a primary expectation for the institution? Is the institution expected to create research capacity in specific fields?
- Land-grant status.
- Special delivery capacity. For example, is the institution charged with providing (or managing for the system) online or interactive video courses?

Within this general framework, experience also indicates that it is good practice in the policy sense to avoid the flowery language that often finds its way into descriptions of mission found in promotional pieces. Such language often obscures rather than reveals the true intention of the mission/role/scope statement.

Clear statements of role and scope that adhere to these guidelines have benefits to both institutions and the Coordinating Board. These guidelines will allow for a less onerous new-program-review process as well as a more substantive and clear academic program review process.

A change in institutional role and scope should be a gradual one. Institutions seeking such a substantive change should have established a history of progressing toward such a change so that they can illustrate their institutional capacity to do so. For example, an institution seeking to offer specific courses at a higher degree level than they are currently offering should be able to show that they have the appropriate library holdings to support that change and that they have the economy of scale in student enrollment and current degree production in the academic program to support offering a program with a higher credential. Market demand for the new credential should exist. Some existing faculty should have earned academic credentials that are appropriate to teach at the higher degree level.

Role and scope changes should be a rare occurrence and will most likely involve substantive change reviews by regional and, where applicable, programmatic accreditation agencies. An additional determinant in the decision to approve a role and scope change should be the long-term impact of the state “mix” of institutions with specific role and scope functions.

This set of criteria does **not** mean that certain programs cannot be offered in locations where they are needed and do not currently exist. It does mean, however, that delivery should be under the auspices of an institution with a role and scope that allows delivery without seeking additional approval—either as a joint program with the degree awarded by the “authorized” institution or as a program delivered by an “authorized” institution at an off-campus site.

There is one possible exception to the set of guidelines stated above—the instance in which change of role and scope is forced by an accrediting or licensure organization (as occurred, for example, when entrance to the practice of pharmacy was determined to require a PharmD). In such cases, the approval may have to be granted with the stipulation that approval in no way opens the door to expanding role and scope in fields where change is not essentially mandatory. In particular, expanded role and scope should not be approved for a single program where expansion is voluntary even if the stipulation suggested above is attached; the stipulation will not hold and the floodgates will open to requests for approval of many more programs on an episodic basis.

Institutional Mission/Role/Scope Designations
Revised July 2008

This section contains suggested mission/role/scope statements for each Arkansas institution using the three-part schema described above.

Arkansas State University-Jonesboro

4. Audiences

Primary audiences are:

- Residents of Arkansas, particularly those of the Delta region who have completed a high school education and are seeking either a college degree or continuing professional education.
- Employers, both public and private, seeking well-educated employees, technical assistance and applied research.
- Economic development interests and entrepreneurs in the region and across the state.
- The research community.
- The community and area by providing a broad range of academic and cultural activities and public events.
- K-12 Schools.
- Two-year college transfer students.

5. Array of Programs and Services

ASU offers:

- Associate programs across a range of areas.
- Baccalaureate programs in arts and humanities, the natural sciences and social sciences appropriate for a comprehensive university.
- Baccalaureate and masters programs in a number of professional fields including, but not limited to, agriculture and technology, environmental sciences, communications, education, engineering, nursing and allied health, and business.
- Doctoral programs that meet regional and state needs, most importantly programs in education, heritage studies, environmental sciences, physical therapy, and biosciences.
- Services specifically designed to meet the needs of business and industry, public institutions, and the non-profit sector.

6. Special Features

- Arkansas Biosciences Institute.
- Delta Center for Economic Development and University Museum SITES.
- Beck PRIDE Program for Wounded Veterans.\

Arkansas Tech University

4. Audiences

Arkansas Tech University (ATU) is responsible for serving:

- Residents of the northwest quadrant of Arkansas who have completed a high school education and are seeking either a college degree or continuing professional education and residents of the state through specific degree programs and services.
- Employers in the region, both public and private—school districts, health care providers, local governments, and private businesses.
- Economic development interests and entrepreneurs in the region.
- The community and area by providing a broad range of academic and cultural activities and public events.
- Area K-12 schools seeking college general education courses for advanced students.
- Two-year college transfer students.

5. Array of Programs and Services

ATU serves these audiences by offering:

- Certificate and associate degree programs in applied technologies, nursing and allied health.
- Baccalaureate programs in arts and humanities, the natural sciences, and social sciences appropriate to a teaching institution with a predominantly undergraduate student body.
- Baccalaureate and masters programs in the professional fields of communications, information technology, engineering, education, nursing and allied health, and business.
- *Doctoral degrees*
- Services specifically designed to meet the needs of regional economic development (small business development, support for entrepreneurs, problem-solving).

6. Special Features

- Engineering programs, including an associate degree in nuclear engineering, emergency administration and management, geology, and hospitality administration.
- Arkansas Tech University-Ozark campus provides education in associate and certificate programs.

Updated: July 25, 2014

Henderson State University

4. Audiences

Henderson State University (HSU) is responsible for serving:

- Residents of southwest Arkansas who have completed high school and are seeking either a college degree or continuing professional education and residents of the state through specific degree programs and services.
- Employers in the region, both public and private—school districts, health care providers, local governments, and private businesses.
- Economic development interests and regional entrepreneurs.
- The community and area by providing a broad range of academic and cultural activities and public events.
- Area K-12 schools seeking college general education courses for advanced students.
- Two-year college transfer students.

5. Array of Programs and Services

HSU serves these audiences by providing:

- An array of liberal arts programs at the baccalaureate level—arts and humanities, social sciences, natural sciences—appropriate to a teaching institution with a predominantly undergraduate student body.
- Baccalaureate programs in education, business, and nursing.
- Master’s programs in education, the liberal arts, and business.
- An Education Specialist program.
- Services specifically designed to meet the needs of regional economic development (small business development, support for entrepreneurs, problem-solving).

6. Special Features

- HSU has adopted the mission of the state’s Public Liberal Arts University.
- Baccalaureate program for training commercial airline pilots.

Southern Arkansas University

4. Audiences

Southern Arkansas University (SAU) in Magnolia is responsible for serving:

- Residents of southwest and south central Arkansas who have completed a high school education and are seeking either a college degree or continuing professional education and residents of the state through specific degree programs and services.
- Employers in the region, both public and private—school districts, health care providers, local governments, and private businesses.
- Economic development interests and entrepreneurs in the region.

- The community and area by providing a broad range of academic and cultural activities and public events.
- Area K-12 schools seeking college general education courses for advanced students.
- Two-year college transfer students.

5. Array of Programs and Services

SAU serves its primary audiences by providing:

- An associate and baccalaureate-level program in nursing.
- Baccalaureate programs in arts and humanities, the natural sciences, and social sciences appropriate to a teaching institution with a predominantly undergraduate student body.
- Baccalaureate programs in the professional fields of business, education, nursing, *engineering*, and human services (i.e., social work and criminal justice).
- Master's programs in education, computer science, kinesiology, counseling, public administration, and business administration, and agriculture.
- Services specifically designed to meet the needs of regional economic development (small business development, support for entrepreneurs, problem-solving).

6. Special Features

- Agriculture and education programs.
- Regional natural resources research with emphasis in lignite development.
- Nursing programs to assist regional medical community needs.

Updated: January 31, 2014

University of Arkansas, Fayetteville

4. Audiences

The University of Arkansas, Fayetteville (UAF) has a statewide mission. As such, its audiences are:

- Residents from throughout Arkansas who have excelled in high school studies and are seeking to complete baccalaureate degrees.
- Individuals seeking graduate and professional degrees.
- Employers, both public and private, seeking not only well-educated employees but technical assistance and applied research.
- Economic development interests and entrepreneurs throughout the state.

- Academic disciplines and the research community.
- The community and area by providing a broad range of academic and cultural activities and public events.
- Two-year college transfer students.

5. Array of Programs and Services

UAF offers:

- A broad range of baccalaureate, masters, doctoral and professional programs that include core arts and sciences, agriculture, architecture, journalism, information sciences, education, engineering, law, public administration, nursing, allied health, and business.
- Basic and applied research
- Services specifically designed to meet the needs of statewide economic development— continuing professional education, technical and professional services, support of small businesses and entrepreneurs, and technology transfer.

6. Special Features

- UAF is the state's 1862 land-grant institution and is classified as a Carnegie very high research activity university.
- Nationally competitive research and economic development activity in emerging areas such as nanotechnology, laser technology, biotechnology, and sustainability.
- Library resources and special holdings such as the Fulbright papers made available through on-site and electronic access to student and faculty scholars and citizens throughout the state.

University of Arkansas - Fort Smith

4. Audiences

The University of Arkansas - Fort Smith (UAFS) is responsible for serving:

- Residents of west and west central Arkansas who have completed a high school education and are seeking a college degree or continuing professional education and residents of the state through specific degree programs and services.
- Employers in the region, both public and private—including school districts, health care providers, local governments, and private businesses.
- Economic development interests and entrepreneurs in the region.

- The community and area by providing a broad range of academic and cultural activities and events.
- Area K-12 schools seeking college general education courses for advanced students.
- Two-year college transfer students.

5. Array of Programs and Services

UAFS serves these audiences by providing:

- Certificate and associate degree programs in the applied technologies, nursing and allied health fields.
- Baccalaureate programs in arts and humanities, the natural sciences, and social sciences appropriate to a teaching institution with an undergraduate student body.
- Baccalaureate programs in the applied fields of nursing and allied health, education, applied sciences, and business.
- *Master's degrees*
- Services designed specifically to meet the needs of regional economic development (small business development, support for entrepreneurs, problem-solving).

6. Special Features

- Incorporation of applied, hands-on learning experiences as an integral component of educational programs.
- Integration of a globally focused approach to general education and enhanced international study options in all degree programs.
- Experiential learning emphases and internship opportunities in most majors.

Updated: October 31, 2014

University of Arkansas at Little Rock

4. Audiences

As the state's metropolitan university, the University of Arkansas at Little Rock (UALR) has the responsibility for serving:

- Residents of Arkansas and the Little Rock metropolitan area who have completed a high school education and are seeking either a college degree or continuing professional education. As a metropolitan university, the institution serves adult, part-time students in particular.
- Employers across the state, particularly in the region, both public and private, seeking well-educated employees, technical assistance and applied research.
- Economic development interests and entrepreneurs in the region and across the state.

- The research community.
- The community and area by providing a broad range of academic and cultural activities and public events.
- Area K-12 schools seeking college general education courses for advanced students.
- Two-year college transfer students.

5. Array of Programs and Services

UALR serves these audiences by providing:

- Baccalaureate programs in arts and humanities, the natural sciences, and social sciences appropriate to a teaching institution with a predominantly undergraduate student body.
- Associate, baccalaureate and master's programs in the professional fields of particular importance in the region, including journalism and communications, public administration and community services, computer and information science, nursing, human services (including social work and criminal justice), education, engineering, and business.
- Doctoral programs most needed by regional and state employers, most importantly programs in education and applied science.
- Services specifically designed to meet the needs of statewide and regional economic development— continuing professional education, technical and professional services, support of small businesses and entrepreneurs, and technology transfer.

6. Special Features

- Institute for Economic Advancement.
- Nanotechnology Center.
- UALR-UAMS joint academic and research programs.

University of Arkansas at Monticello

4. Audiences

The University of Arkansas at Monticello (UAM) is responsible for serving:

- Residents of southeast Arkansas who have completed a high school education and are seeking a college degree or continuing professional education and residents of the state through specific degree programs and services.
- Employers in the region in both public and private sectors—school districts, health care providers, local governments, and private employers including the agriculture and forest products industries.
- Regional economic development interests and entrepreneurs.
- The community and area by providing a broad range of academic and cultural activities and public events.
- Area K-12 schools seeking college general education courses for advanced students.
- Two-year college transfer students.

5. Array of Programs and Services

UAM serves these audiences by providing:

- Certificate and associate programs in applied technologies including nursing and selected allied health fields.
- Baccalaureate programs in arts and humanities, the natural sciences, and social sciences appropriate to a teaching institution with a predominantly undergraduate student body.
- Baccalaureate programs in the professional fields of forestry, education, community services, nursing, business, and human services (i.e. social work and criminal justice).
- Masters program's
- Services specifically designed to meet the needs of regional economic development (small business development, support for entrepreneurs, problem-solving).

6. Special Features

- An open admission university.
- Forest Resources program.
- UAM College of Technology campuses in Crossett and McGehee provide education in associate, certificate programs, and the Arkansas Heavy Equipment Operator Training Academy offers training and certification for timber and construction equipment operation.

University of Arkansas at Pine Bluff

4. Audiences

The University of Arkansas at Pine Bluff (UAPB) is responsible for serving:

- Residents of the state of Arkansas, with particular emphasis on the Delta, who have completed high school and are seeking either a college degree or continuing professional education.
- Regional and state employers, both public and private—including school districts, health care providers, local governments, community agencies and private businesses, especially those in agricultural areas.
- Regional and state economic development interests and entrepreneurs.
- The community and area by providing a broad range of academic and cultural activities and public events.
- Area K-12 schools seeking college general education courses for advanced students.
- Two-year college transfer students.

5. Array of Programs and Services

UAPB serves these audiences by providing:

- Baccalaureate programs in arts and humanities, the natural sciences, and social sciences appropriate to a teaching institution with a predominantly undergraduate student body.
- Baccalaureate programs in the professional fields of agriculture, computer and information sciences, education, community services, nursing, regulatory science and business.
- Masters programs in education, substance abuse counseling, and aquaculture and fisheries, agricultural regulations and other areas.
- PhD in aquaculture and fisheries
- Services and programs specifically designed to meet the needs of the state and regional community and economic development with a particular emphasis on diverse and rural populations.

6. Special Features

- Arkansas' historically black university and the state's 1890 land-grant institution.
- Graduate-level Addiction Studies Program.
- Center of Excellence in Aquaculture/Fisheries and USDA Center of Excellence in Regulatory Science.

Updated: April 15, 2011

University of Central Arkansas

5. Audiences

The University of Central Arkansas (UCA) is responsible for serving:

- Residents of the state, particularly those in central Arkansas who have completed high school and are seeking either a college degree or continuing professional education.
- Regional and state employers, both public and private—including school districts, health care providers, local governments, private businesses and community agencies seeking technical assistance and applied research.
- Economic development interests and entrepreneurs in the region and across the state.
- The community and area by providing a broad range of academic and cultural activities and public events.
- Area K-12 schools seeking college general education courses for advanced students.
- Two-year college transfer students.

6. Array of Programs and Services

UCA serves these audiences by providing:

- Baccalaureate arts and science programs in the variety appropriate to a comprehensive, teaching university.
- Baccalaureate programs in the professional fields of journalism, computer and information sciences, education, public administration, nursing and allied health, and business.
- Masters programs in education, business, nursing, allied health and selected arts and science fields.
- Doctoral programs in physical therapy, communicative sciences and disorders, leadership studies, and school psychology.
- Services specifically designed to meet the needs of state and regional economic development.

7. Special Features

- UCA supports Arkansas public schools through the UCA STEM Institute and other initiatives.
- UCA is a regional center of the Asian Studies Development Program for the East-West Center.
- UCA serves communities and their leaders through the Community Development Institute – the first such organization in the nation, established in 1987 – and related initiatives.

University of Arkansas for Medical Sciences

3. Audiences

The University of Arkansas for Medical Sciences (UAMS) is a statewide institution serving:

- Those individuals seeking an education that will prepare them for entry into the health care professions.
- Health care professionals seeking continuing professional education.
- Employers, most specifically health care providers.
- Patients in locations throughout Arkansas.
- The economic development interests of the state.

4. Array of Programs and Services

To serve these audiences, UAMS provides:

- Certificate and associate programs in allied health fields.
- Baccalaureate programs in nursing and allied health fields.

- Masters programs in biomedical sciences, nursing, allied health and public health.
- Professional doctoral programs in medicine, pharmacy, public health and audiology.
- Ph.D. programs in biomedical sciences, nursing and public health.
- Residency and fellowship programs for physicians
- Basic and applied research.
- Direct patient care through the university hospital, affiliated clinics and a system of Area Health Education Centers.
- Regional programs at many sites throughout Arkansas.
- Services designed to promote economic development through commercialization of results of its biomedical/biotechnology research.

8. Special Features

- Growing research productivity relating to cancer, aging, addictions and public health.
- UAMS Arkansas Bioventures, a business and technology incubator.
- Care of patients from all Arkansas counties, all states and many foreign countries.

Arkansas Northeastern College

4. Audiences

Arkansas Northeastern College (ANC) is responsible for serving:

- The residents of Mississippi, Craighead, Poinsett and Greene counties who are seeking:
 - Preparation for transfer to four-year institutions.
 - Career-technical education.
 - Upgrading of skills.
 - Completion of GED.
- Employers in the area seeking employees who have basic workplace and technical skills or employers seeking to upgrade skills of current employees.
- Economic development interests in the area.
- Communities and civic groups within the service area.
- Area K-12 schools seeking college general education courses for advanced students, career and technical programs, and cultural services.

5. Array of Programs and Services

ANC serves the needs of these audiences by providing:

- Basic/workplace skills training.
- General education courses necessary to prepare students for transfer to four-year institutions.
- Career and technical education in applied technologies, nursing and selected allied health fields, criminal justice, and early childhood education.

- Business and industry training to meet the needs of current employers and economic development interests.
- Hosts and facilitates the Adult Basic Education (ABE) program.
- Access to graduate and undergraduate programs needed in the region by brokering the delivery of such programs from other colleges and universities.
- Shared use of facilities (libraries, auditoria, etc.) and other types of institutional assets not available elsewhere in the region.
- An opening for residents of the region to participate in the academic and cultural events sponsored by the college.

6. Special Features

- Member of the Arkansas Delta Training and Education Consortium, which provides a regional approach to meeting current and future educational and business needs in the Arkansas Delta.
- University Center operated since 1992, hosting numerous undergraduate and graduate degree programs.
- “The Solutions Group”, an innovative business and industry training and services organization which operates as a division of the college.

Arkansas State University-Beebe

4. Audiences

Arkansas State University-Beebe (ASUB) is responsible for serving:

- The residents of Jackson, White, Prairie, Woodruff, Lonoke, Craighead, Poinsett and Faulkner counties who are seeking:
 - Preparation for transfer to four-year institutions.
 - Career-technical education.
 - Upgrading of skills.
 - Completion of GED.
- Employers in the area seeking employees who have basic workplace and technical skills or employers seeking to upgrade skills of current employees.
- Economic development interests in the area.
- Communities and civic groups within the service area.
- Area K-12 schools seeking college general education courses for advanced students, career and technical programs, and cultural services.

5. Array of Programs and Services

ASUB serves the needs of these audiences by providing:

- Basic/workplace skills training.
- General education courses necessary to prepare students for transfer to four-year institutions.
- Career and technical education in applied technologies, nursing and selected allied health fields, child care (early childhood), and business.

- Business and industry training to meet the needs of current employers and economic development interests.
- Hosts and facilitates the Adult Basic Education (ABE) program.
- Access to graduate and undergraduate programs needed in the region by brokering the delivery of such programs from other colleges and universities.
- Shared use of facilities (libraries, auditoria, etc.) and other types of institutional assets not available elsewhere in the region.
- An opening for residents of the region to participate in the academic and cultural events sponsored by the college.

6. Special Features

- A two-year agriculture equipment technician program in cooperation with the John Deere Corporation.
- A two-year veterinarian technician program endorsed by and in cooperation with the Arkansas Veterinarian Medical Association.
- A Shale Gas Drilling training program endorsed by and in cooperation with Chesapeake, Nomac, and Union Drilling.

Arkansas State University-Mountain Home

4. Audiences

Arkansas State University-Mountain Home (ASUMH) is responsible for serving:

- The residents of Baxter and Marion counties who are seeking:
 - Preparation for transfer to four-year institutions.
 - Career-technical education.
 - Upgrading of skills.
 - Completion of GED.
- Employers in the area seeking employees who have basic workplace and technical skills or employers seeking to upgrade skills of current employees.
- Economic development interests in the area.
- Communities and civic groups within the service area.
- Area K-12 schools seeking college general education courses for advanced students, career and technical programs, and cultural services.

5. Array of Programs and Services

ASUMH serves the needs of these audiences by providing:

- General education courses necessary to prepare students for transfer to four-year institutions.
- Career and technical education in information sciences, nursing and selected allied health fields, criminal justice, and secretarial sciences.
- Business and industry training to meet the needs of current employers and economic development interests.
- Hosts and facilitates the Adult Basic Education (ABE) program.

- Access to graduate and undergraduate programs needed in the region by brokering the delivery of such programs from other colleges and universities.
- Shared use of facilities (libraries, auditoria, etc.) and other types of institutional assets not available elsewhere in the region.
- An opening for residents of the region to participate in the academic and cultural events sponsored by the college.
- Basic/workplace skills training

6. Special Features

- Unique efforts include collaborative endeavors with the UAMS College of Health-Related Professions to offer programs locally and the only Funeral Science program offered via distance delivery in the state.
- Based on the Northwest Region Occupation Projections from the Department of Workforce Services, and with input from local business and industry partners, offerings at ASUMH address 10 of the identified occupational needs requiring post-secondary education.

Arkansas State University-Newport

4. Audiences

Arkansas State University-Newport (ASUN) is responsible for serving:

- The residents of Jackson, White, Prairie, Woodruff, Lonoke, Craighead, Poinsett and Faulkner counties who are seeking:
 - Preparation for transfer to four-year institutions.
 - Career-technical education.
 - Upgrading of skills.
 - Completion of GED.
- Employers in the area seeking employees who have basic workplace and technical skills or employers seeking to upgrade skills of current employees.
- Economic development interests in the area.
- Communities and civic groups within the service area.
- Area K-12 schools seeking college general education courses for advanced students, career and technical programs, and cultural services.

5. Array of Programs and Services

ASUN serves the needs of these audiences by providing:

- Basic/workplace skills training.
- General education courses necessary to prepare students for transfer to four-year institutions.
- Career and technical education in applied technologies, nursing, education, information systems, and business and office occupations.
- Business and industry training to meet the needs of current employers and economic development interests.

- Hosts and facilitates the Adult Basic Education (ABE) program.
- Access to graduate and undergraduate programs needed in the region by brokering the delivery of such programs from other colleges and universities.
- Shared use of facilities (libraries, auditoria, etc.) and other types of institutional assets not available elsewhere in the region.
- An opening for residents of the region to participate in the academic and cultural events sponsored by the college.

6. Special Features

- A Commercial Driver Training Program.
- Member of the Arkansas Delta Training and Education Consortium, which provides a regional approach to meeting current and future educational and business needs in the Arkansas Delta.
- Only High Voltage Lineman Technology program in the state.

Black River Technical College

4. Audiences

Black River Technical College (BRTC) is responsible for serving:

- The residents of Randolph, Lawrence, Clay and Greene counties who are seeking:
 - Preparation for transfer to four-year institutions.
 - Career-technical education.
 - Upgrading of skills.
 - Completion of GED.
- Employers in the area seeking employees who have basic workplace and technical skills or employers seeking to upgrade skills of current employees.
- Economic development interests in the area.
- Communities and civic groups within the service area.
- Area K-12 schools seeking college general education courses for advanced students, career and technical programs, and cultural services.

5. Array of Programs and Services

BRTC serves the needs of these audiences by providing:

- Basic/workplace skills training.
- General education courses necessary to prepare students for transfer to four-year institutions.
- Career and technical education in applied technologies, child care, cosmetology, nursing and allied health professions, accounting, and secretarial sciences.
- Business and industry training to meet the needs of current employers and economic development interests.
- Hosts and facilitates the Adult Basic Education (ABE) program.

- Access to graduate and undergraduate programs needed in the region by brokering the delivery of such programs from other colleges and universities.
- Shared use of facilities (libraries, auditoria, etc.) and other types of institutional assets not available elsewhere in the region.
- An opening for residents of the region to participate in the academic and cultural events sponsored by the college.

6. Special Features

- Associates program in Fire Training.
- Partnership with the Arkansas Fire Academy and the National Fire Academy.

College of the Ouachitas

4. Audiences

College of the Ouachitas (COTO) is responsible for serving the needs of:

- The residents of Hot Spring, Clark, Dallas, Grant and Saline counties who are seeking:
 - Preparation for transfer to four-year institutions.
 - Career-technical education.
 - Upgrading of skills.
 - Completion of GED.
- Employers in the area seeking employees who have basic workplace and technical skills or employers seeking to upgrade skills of current employees.
- Economic development interests in the area.
- Communities and civic groups within the service area.
- Area K-12 schools seeking college general education courses for advanced students, career and technical programs, and cultural services.

5. Array of Programs and Services

COTO serves the needs of these audiences by providing:

- Basic/workplace skills training.
- General education courses necessary to prepare matriculated students and high school students for transfer to four-year institutions.
- Occupational training in computer sciences and applications, criminal justice, cosmetology, early childhood education, applied technologies, nursing and selected allied health fields, and business and office occupations.
- Business and industry training and apprenticeships, both credit and non-credit, to meet the needs of current employers and economic development interests.
- Hosts and facilitates the Adult Basic Education (ABE) program.

- Access to graduate and undergraduate programs needed in the region by brokering the delivery of such programs from other colleges and universities.
- Shared use of facilities (libraries, auditoria, etc.) and other types of institutional assets not available elsewhere in the region.
- An opening for residents of the region to participate in the academic and cultural events sponsored by the college.

3. Special Features:

- Electrical Apprenticeship program.
- Cosmetology program.
- Paramedic to RN program.

Cossatot Community College of the University of Arkansas

4. Audiences

Cossatot Community College of the University of Arkansas (CCCUA) is responsible for serving:

- The residents of Sevier, Little River, Howard and Pike counties who are seeking:
 - Preparation for transfer to four-year institutions.
 - Career-technical education.
 - Upgrading of skills.
 - Completion of GED.
- Employers in the area seeking employees who have basic workplace and technical skills or employers seeking to upgrade skills of current employees.
- Economic development interests in the area.
- Communities and civic groups within the service area.
- Area K-12 schools seeking college general education courses for advanced students, career and technical programs, and cultural services.

5. Array of Programs and Services

CCCUA serves the needs of these audiences by providing:

- Basic/workplace skills training.
- General education courses necessary to prepare students for transfer to four-year institutions.
- Career and technical education in applied technologies, education and child care, nursing and selected allied health professions, computing and information systems, and general business.
- Business and industry training to meet the needs of current employers and economic development interests.
- Hosts and facilitates the Adult Basic Education (ABE) program.
- Access to graduate and undergraduate programs needed in the region by brokering the delivery of such programs from other colleges and universities.

- Shared use of facilities (libraries, auditoria, etc.) and other types of institutional assets not available elsewhere in the region.
- An opening for residents of the region to participate in the academic and cultural events sponsored by the college.

6. Special Features

- Howard County and Little River County campus locations.
- Various community computer and educational centers.
- Mobile Classrooms.

East Arkansas Community College

4. Audiences

East Arkansas Community College (EACC) is responsible for serving:

- The residents of St. Francis, Cross, Lee, Monroe, Woodruff and Poinsett counties who are seeking:
 - Preparation for transfer to four-year institutions.
 - Career-technical education.
 - Upgrading of skills.
- Employers in the area seeking employees who have basic workplace and technical skills or employers seeking to upgrade skills of current employees.
- Economic development interests in the area.
- Communities and civic groups within the service area.
- Area K-12 schools seeking college general education courses for advanced students, career and technical programs, and cultural services.

5. Array of Programs and Services

EACC serves the needs of these audiences by providing:

- Basic/workplace skills training.
- General education courses necessary to prepare students for transfer to four-year institutions.
- Career and technical education in computer systems and applications, police science, nursing and selected allied health professions, business and office occupations.
- Business and industry training to meet the needs of current employers and economic development interests.
- Access to graduate and undergraduate programs needed in the region by brokering the delivery of such programs from other colleges and universities.
- Shared use of facilities (libraries, auditoria, etc.) and other types of institutional assets not available elsewhere in the region.

- An opening for residents of the region to participate in the academic and cultural events sponsored by the college.

6. Special Features

- Member of the Arkansas Delta Training and Education Consortium, which provides a regional approach to meeting current and future educational and business needs in the Arkansas Delta.
- Plastic Injection Molding Training facilities.
- A Cisco Regional Academy.

Mid-South Community College

4. Audiences

Mid-South Community College (MSCC) is responsible for serving the needs of:

- The residents of Crittenden and Poinsett counties who are seeking:
 - Preparation for college-level studies.
 - Preparation for transfer to four-year institutions.
 - Career-technical education.
 - Upgrading of skills.
 - Completion of GED.
- Employers in the area seeking employees who have basic workplace and technical skills or employers seeking to upgrade skills of current employees.
- Economic development interests in the area.
- Communities and civic groups within the service area.
- Area K-12 schools seeking college general education courses for advanced students, career and technical programs, and cultural services.

5. Array of Programs and Services

MSCC serves these audiences by providing:

- Basic/workplace skills training.
- General education courses necessary to prepare students for transfer to four-year institutions.
- Career and technical education in computer systems and applications, diesel technology including an engine testing facility and chemical analysis of alternative fuels, advanced manufacturing with an emphasis on Computer Numeric Controls, and other applied technologies.
- Business and industry training to meet the needs of current employers and economic development interests.
- Hosts and facilitates the Adult Basic Education (ABE) program.
- Access to graduate and undergraduate programs needed in the region by brokering the delivery of such programs from other colleges and universities.

- Shared use of facilities (libraries, auditoria, etc.) and other types of institutional assets not available elsewhere in the region.
- An opening for residents of the region to participate in the academic and cultural events sponsored by the college.

6. Special Features

- Member of the Arkansas Delta Training and Education Consortium, which provides a regional approach to meeting current and future educational and business needs in the Arkansas Delta.
- A Cisco Regional Academy.
- The MSCC Technical Center which offers technical training to area high school students in information systems technology, diesel technology, manufacturing, and allied health.

National Park Community College

1. Audiences

National Park Community College (NPCC) is responsible for serving the needs of:

- The residents of Garland, Saline and Montgomery counties who are seeking:
 - Preparation for transfer to four-year institutions.
 - Career-technical education.
 - Upgrading of skills.
 - Completion of GED.
- Employers in the area seeking employees who have basic workplace and technical skills or employers seeking to upgrade skills of current employees.
- Economic development interests in the area.
- Communities and civic groups within the service area.
- Area K-12 schools seeking college general education courses for advanced students, career and technical programs, and cultural services.

4. Array of Programs and Services

NPCC serves the needs of these audiences by providing:

- Basic/workplace skills training.
- General education courses necessary to prepare students for transfer to four-year institutions.
- Career and technical education in child care and education, police and fire sciences, construction trades, applied technologies, nursing and a variety of allied health professions, hospitality management, accounting and office occupations.
- Business and industry training to meet the needs of current employers and economic development interests.
- Hosts and facilitates the Adult Basic Education (ABE) program.
- Access to graduate and undergraduate programs needed in the region by brokering the delivery of such programs from other colleges and universities.

- Shared use of facilities (libraries, auditoria, etc.) and other types of institutional assets not available elsewhere in the region.
- An opening for residents of the region to participate in the academic and cultural events sponsored by the college.

4. Special Features

- Allied Health programs.
- Marine Repair Technology program.
- High School Tech Center.

North Arkansas College

4. Audiences

North Arkansas College (NorthArk) is responsible for serving the needs of:

- The residents of Boone, Carroll, Madison, Newton, Searcy and Marion counties who are seeking:
 - Preparation for transfer to four-year institutions.
 - Career-technical education.
 - Upgrading of skills.
 - Completion of GED.
- Employers in the area seeking employees who have basic workplace and technical skills or employers seeking to upgrade skills of current employees.
- Economic development interests in the area.
- Communities and civic groups within the service area.
- Area K-12 schools seeking college general education courses for advanced students, career and technical programs, and cultural services.

5. Array of Programs and Services

NorthArk serves these audiences by providing:

- Basic/workplace skills training.
- General education courses necessary to prepare students for transfer to four-year institutions.
- Career and technical education in applied technologies, engineering and science technologies, computer systems and applications, nursing and selected allied health professions, business and office occupations.
- Business and industry training to meet the needs of current employers and economic development interests.
- Hosts and facilitates the Adult Basic Education (ABE) program.
- Access to graduate and undergraduate programs needed in the region by brokering the delivery of such programs from other colleges and universities.

- Shared use of facilities (libraries, auditoria, etc.) and other types of institutional assets not available elsewhere in the region.
- An opening for residents of the region to participate in the academic, cultural and athletic events sponsored by the college.

6. Special Features:

- NorthArk with its partner, North Arkansas Regional Medical Center, offers professional and community health education through the North Arkansas Partnership for Health Education to complement its credit allied health programs.
- The NorthArk Technical Center provides technical occupational programs for high schools in NorthArk's service area.
- NorthArk provides opportunities for athletes from its service area high schools to continue their participation in intercollegiate sports including basketball, baseball, softball, and rodeo.

NorthWest Arkansas Community College

3. Audiences

Northwest Arkansas Community College (NWACC) is responsible for serving the needs of:

- The residents of Benton and Washington counties who are seeking:
 - Preparation for transfer to four-year institutions.
 - Career-technical education.
 - Upgrading of skills.
 - Completion of GED.
 - English as a second language (ESL).
- Employers in the area seeking employees who have basic workplace and technical skills or employers seeking to upgrade skills of current employees.
- Economic development interests in the area.
- Communities and civic groups within the service area.
- Area K-12 schools seeking college general education courses for advanced students, career and technical programs, and cultural services.

4. Array of Programs and Services

NWACC serves the needs of these audiences by providing:

- Basic/workplace skills training.
- General education courses necessary to prepare students for transfer to four-year institutions.
- Career and technical education in computer and information sciences, engineering technologies, legal assisting, criminal justice and fire safety, nursing and selected allied health fields, and business management and other career fields/professions as identified by community needs.
- Business and industry training to meet the needs of current employers and economic development interests.
- Hosts and facilitates the Adult Basic Education (ABE) program.

- Access to graduate and undergraduate programs needed in the region by brokering the delivery of such programs from other colleges and universities.
- Shared use of facilities (libraries, auditoria, etc.) and other types of institutional assets not available elsewhere in the region.
- An opening for residents of the region to participate in the academic and cultural events sponsored by the college.

5. Special Features:

- Nationally and internationally delivered programs/services as identified by the region's corporate and business leaders and national organizations including but not limited to the following: The Institute for Corporate and Public Safety, The National Child Protection Training Center (Southern United States), and the Global Business Development Center.

Ozarka College

3. Audiences

Ozarka College (Ozarka) is responsible for serving the needs of:

- The residents of Izard, Fulton, Sharp and Stone counties who are seeking:
 - Preparation for transfer to four-year institutions.
 - Career-technical education.
 - Upgrading of skills.
 - Completion of GED.
- Employers in the area seeking employees who have basic workplace and technical skills or employers seeking to upgrade skills of current employees.
- Economic development interests in the area.
- Communities and civic groups within the service area.
- Area K-12 schools seeking college general education courses for advanced students, career and technical programs, and cultural services.

4. Array of Programs and Services

Ozarka serves the needs of these audiences by providing:

- Basic/workplace skills training.
- General education courses necessary to prepare students for transfer to four-year institutions.
- Occupational training in selected applied technologies, child care and education, culinary arts, nursing and selected allied health fields, and secretarial sciences.
- Business and industry training to meet the needs of current employers and economic development interests.
- Hosts and facilitates the Adult Basic Education (ABE) program.
- Access to graduate and undergraduate programs needed in the region by brokering the delivery of such programs from other colleges and universities.

- Shared use of facilities (libraries, auditoria, etc.) and other types of institutional assets not available elsewhere in the region.
- An opening for residents of the region to participate in the academic and cultural events sponsored by the college.

6. Special Features:

- Significant LPN programs in three counties to provide for the growing need for skilled health care workers in rural north central Arkansas.
- State and nationally recognized Culinary Arts program providing skilled culinary workers that compete regionally for outstanding careers in the food service industry.
- Expanding grant programs to address health, nutrition, exercise and life-long learning for the growing population of senior citizens in north central Arkansas.

Phillips Community College of the University of Arkansas

4. Audiences

Phillips Community College of the University of Arkansas (PCCUA) is responsible for serving the needs of:

- The residents of Phillips, Arkansas, Desha, Lee and Monroe counties who are seeking:
 - Preparation for transfer to four-year institutions.
 - Career-technical education.
 - Upgrading of skills.
 - Completion of GED.
- Employers in the area seeking employees who have basic workplace and technical skills or employers seeking to upgrade skills of current employees.
- Economic development interests in the area.
- Communities and civic groups within the service area.
- Area K-12 schools seeking college general education courses for advanced students, career and technical programs, and cultural services.

5. Array of Programs and Services

PCCUA meets the needs of these audiences by providing:

- Basic/workplace skills training.
- General education courses necessary to prepare students for transfer to four-year institutions.
- Occupational training in computer systems and applications, early childhood/child care, cosmetology, applied technologies, nursing and selected allied health professions, and business.
- Business and industry training to meet the needs of current employers and economic development interests.
- Hosts and facilitates the Adult Basic Education (ABE) program.

- Access to graduate and undergraduate programs needed in the region by brokering the delivery of such programs from other colleges and universities.
- Shared use of facilities (libraries, auditoria, etc.) and other types of institutional assets not available elsewhere in the region.
- An opening for residents of the region to participate in the academic and cultural events sponsored by the college.

6. Special Features

- Member of the Arkansas Delta Training and Education Consortium, which provides a regional approach to meeting current and future educational and business needs in the Arkansas Delta.
- Campuses at Stuttgart and Dewitt.
- Owns and makes available to the public the Pillow-Thompson House widely regarded as one of the finest examples of Queen Anne architecture in the South.

Pulaski Technical College

4. Audiences

Pulaski Technical College (Pulaski Tech) is responsible for serving the needs of:

- The residents of Pulaski, Saline, Faulkner and Lonoke counties who are seeking:
 - Preparation for transfer to four-year institutions.
 - Career-technical education.
 - Upgrading of skills.
 - Completion of GED.
- Employers in the area seeking employees who have basic workplace and technical skills or employers seeking to upgrade skills of current employees.
- Economic development interests in the area.
- Communities and civic groups within the service area.
- Area K-12 schools seeking college general education courses for advanced students, career and technical programs, and cultural services.

5. Array of Programs and Services

Pulaski Tech meets the needs of these audiences by providing:

- Basic/workplace skills training.
- General education courses necessary to prepare students for transfer to four-year institutions.
- Career-technical education in aerospace technology; transportation technology; manufacturing technology; construction technology; information technology; applied technology; engineering technologies; nursing and allied health fields; hospitality, culinary arts, cosmetology and other personal service fields; business, office and paralegal technologies; and early childhood development.
- Business and industry training to meet the needs of current employers and economic development interests.
- Hosts and facilitates the Adult Basic Education (ABE) program.

- Access to graduate and undergraduate programs needed in the region by brokering the delivery of such programs from other colleges and universities.
- Shared use of facilities (libraries, auditoria, etc.) and other types of institutional assets not available elsewhere in the region.
- An opening for residents of the region to participate in the academic and cultural events sponsored by the college.

4. Special Features:

- Pulaski Technical College is the state's largest comprehensive two-year college, offering an extensive array of technical and occupational programs to meet the needs of business and industry.
- College Business and Industry Center serves the corporate and continuing education needs of the state's largest industry sectors (i.e. aerospace, manufacturing, information technology, service, small business, etc.).
- Operates the Arkansas Culinary School, providing associate degrees and technical certificates that meet the needs of the state's hospitality, food and beverage industries.

Rich Mountain Community College

3. Audiences

Rich Mountain Community College (RMCC) is responsible for meeting the needs of:

- The residents of Polk, Scott, Montgomery, Pike and Howard counties who are seeking:
 - Preparation for transfer to four-year institutions.
 - Career-technical education.
 - Upgrading of skills.
 - Completion of GED.
- Employers in the area seeking employees who have basic workplace and technical skills or employers seeking to upgrade skills of current employees.
- Economic development interests in the area.
- Communities and civic groups within the service area.
- Area K-12 schools seeking college general education courses for advanced students, career and technical programs, and cultural services.

4. Array of Programs and Services

RMCC meets the needs of these audiences by providing:

- Basic/workplace skills training.
- General education courses necessary to prepare students for transfer to four-year institutions.
- Occupational training in computer and information systems, child development, selected applied technologies, practical nursing, and business/office occupations.
- Business and industry training to meet the needs of current employers and economic development interests.

- Hosts and facilitates the Adult Basic Education (ABE) program.
- Access to graduate and undergraduate programs needed in the region by brokering the delivery of such programs from other colleges and universities.
- Shared use of facilities (libraries, auditoria, etc.) and other types of institutional assets not available elsewhere in the region.
- An opening for residents of the region to participate in the academic and cultural events sponsored by the college.

6. Special Features:

- Off-campus sites at Waldron, Mt. Ida, and Wickes.
- Hosts Secondary Career Center technical programs for high schools in the service area.
- Involved in the development of the airport industry at the Mena Airport.

South Arkansas Community College

3. Audiences

South Arkansas Community College (SouthArk) is responsible for serving the needs of:

- The residents of Union, Ashley, Chicot and Bradley counties who are seeking:
 - Preparation for transfer to four-year institutions.
 - Career-technical education.
 - Upgrading of skills.
 - Completion of GED.
- Employers in the area seeking employees who have basic workplace and technical skills or employers seeking to upgrade skills of current employees.
- Economic development interests in the area.
- Communities and civic groups within the service area.
- Area K-12 schools seeking college general education courses for advanced students, career and technical programs, and cultural services.

4. Array of Programs and Services

SouthArk meets the needs of these audiences by providing:

- Basic/workplace skills training.
- General education courses necessary to prepare students for transfer to four-year institutions.
- Occupational training in education/early childhood, applied technologies, commercial vehicle operation, nursing and numerous allied health fields, and business and office occupations.
- Business and industry training to meet the needs of current employers and economic development interests.
- Hosts and facilitates the Adult Basic Education (ABE) program.
- Access to graduate and undergraduate programs needed in the region by brokering the delivery of such programs from other colleges and universities.

- Shared use of facilities (libraries, auditoria, etc.) and other types of institutional assets not available elsewhere in the region.
- An opening for residents of the region to participate in the academic and cultural events sponsored by the college.

4. Special Features

- Numerous health science programs. El Dorado is the medical center of South Arkansas.
- Program in teacher education.
- Workforce education programs that have received state and national recognition.

Southern Arkansas University-Tech

4. Audiences

Southern Arkansas University Tech (SAU-Tech) is responsible for meeting the needs of:

- The residents of Ouachita, Calhoun, Columbia and Dallas counties who are seeking:
 - Preparation for transfer to four-year institutions.
 - Career-technical education.
 - Upgrading of skills.
 - Completion of GED.
- Employers in the area seeking employees who have basic workplace and technical skills or employers seeking to upgrade skills of current employees.
- Economic development interests in the area.
- Communities and civic groups within the service area.
- Area K-12 schools seeking college general education courses for advanced students, career and technical programs, and cultural services.

5. Array of Programs and Services

SAU-Tech meets the needs of these audiences by providing:

- Basic/workplace skills training.
- General education courses necessary to prepare students for transfer to four-year institutions.
- Career and technical education in computer systems and applications, engineering technologies, child care education and early childhood and secondary education, police and fire sciences, applied technologies, nursing and selected allied health fields, and business and office occupations.
- Business and industry training to meet the needs of current employers and economic development interests.
- Hosts and facilitates the Adult Basic Education (ABE) program.
- Access to graduate and undergraduate programs needed in the region by brokering the delivery of such programs from other colleges and universities.

- Shared use of facilities (libraries, auditoria, etc.) and other types of institutional assets not available elsewhere in the region.
- An opening for residents of the region to participate in the academic and cultural events sponsored by the college.

6. Special Features

- Arkansas Fire Academy.
- Arkansas Environmental Academy.
- Aviation Maintenance Technologies.

Southeast Arkansas College

4. Audiences

Southeast Arkansas College (SEARK) is responsible for meeting the needs of:

- The residents of Jefferson, Lincoln, Cleveland, Drew, Grant and Desha counties who are seeking:
 - Preparation for transfer to four-year institutions.
 - Career-technical education.
 - Upgrading of skills.
 - Completion of GED.
- Employers in the area seeking employees who have basic workplace and technical skills or employers seeking to upgrade skills of current employees.
- Economic development interests in the area.
- Communities and civic groups within the service area.
- Area K-12 schools seeking college general education courses for advanced students, career and technical programs, and cultural services.

5. Array of Programs and Services

SEARK meets the needs of these audiences by providing:

- Basic/workplace skills training.
- General education courses necessary to prepare students for transfer to four-year institutions.
- Vocational training in computer systems and applications, child care, legal assisting, criminal justice and fire sciences, applied technologies, nursing and selected allied health fields, and business and office occupations.
- Business and industry training to meet the needs of current employers and economic development interests.
- Hosts and facilitates the Adult Basic Education (ABE) program.
- Access to graduate and undergraduate programs needed in the region by brokering the delivery of such programs from other colleges and universities.

- Shared use of facilities (libraries, auditoria, etc.) and other types of institutional assets not available elsewhere in the region.
- An opening for residents of the region to participate in the academic and cultural events sponsored by the college.

6. Special Features:

- Emergency Administration and Management (EMAN) program.
- Contextualized Development Education for Practical Nursing program.
- Revamped Developmental Education to encourage student success.

University of Arkansas Community College at Batesville

4. Audiences

The University of Arkansas Community College at Batesville (UACCB) is responsible for meeting the needs of:

- The residents of Independence, Cleburne, Stone and Sharp counties who are seeking:
 - Preparation for transfer to four-year institutions.
 - Career-technical education.
 - Upgrading of skills.
 - Completion of GED.
- Employers in the area seeking employees who have basic workplace and technical skills or employers seeking to upgrade skills of current employees.
- Economic development interests in the area.
- Communities and civic groups within the service area.
- Area K-12 schools seeking college general education courses for advanced students, career and technical programs, and cultural services.

5. Array of Programs and Services

UACCB meets the needs of these audiences by providing:

- Basic/workplace skills training.
- General education courses necessary to prepare students for transfer to four-year institutions.
- Vocational training in early childhood education, criminal justice, selected applied technologies, nursing and selected allied health fields, and business and office occupations.
- Business and industry training to meet the needs of current employers and economic development interests.
- Hosts and facilitates the Adult Basic Education (ABE) program.
- Access to graduate and undergraduate programs needed in the region by brokering the delivery of such programs from other colleges and universities.

- Shared use of facilities (libraries, auditoria, etc.) and other types of institutional assets not available elsewhere in the region.
- An opening for residents of the region to participate in the academic and cultural events sponsored by the college.

6. Special Features

- Associate of Applied Science in Aviation Maintenance program.
- Member of the University of Arkansas Online Consortium offering complete Associate of Arts Degree on line.
- LPN to RN Online Nursing program.

University of Arkansas Community College at Hope

3. Audiences

The University of Arkansas Community College at Hope (UACCH) is responsible for serving the needs of:

- The residents of Hempstead, Miller, Nevada, Lafayette, Howard and Pike counties who are seeking:
 - Preparation for transfer to four-year institutions.
 - Career-technical education.
 - Upgrading of skills.
- Employers in the area seeking employees who have basic workplace and technical skills or employers seeking to upgrade skills of current employees.
- Economic development interests in the area.
- Communities and civic groups within the service area.
- Area K-12 schools seeking college general education courses for advanced students, career and technical programs, and cultural services.

4. Array of Programs and Services

UACCH meets the needs of these audiences by providing:

- Basic/workplace skills training.
- General education courses necessary to prepare students for transfer to four-year institutions.
- Career and technical education in funeral service and mortuary science, education, child care, criminal justice, applied technologies, practical nursing and selected allied health fields, and business and office occupations.
- Business and industry training to meet the needs of current employers and economic development interests.
- Access to graduate and undergraduate programs needed in the region by brokering the delivery of such programs from other colleges and universities.

- Shared use of facilities (libraries, auditoria, etc.) and other types of institutional assets not available elsewhere in the region.
- An opening for residents of the region to participate in the academic and cultural events sponsored by the college.

3. Special Features:

- Program in Funeral Service Education
- Member of the University of Arkansas Online Consortium offering complete Associate of Arts degree program online.
- Power Plant Technology program.

University of Arkansas Community College at Morrilton

4. Audiences

The University of Arkansas Community College at Morrilton (UACCM) is responsible for serving the needs of:

- The residents of Conway, Van Buren, Pope, Yell, Perry and Faulkner counties who are seeking:
 - Preparation for transfer to four-year institutions.
 - Career-technical education.
 - Upgrading of skills.
 - Completion of GED.
- Employers in the area seeking employees who have basic workplace and technical skills or employers seeking to upgrade skills of current employees.
- Economic development interests in the area.
- Communities and civic groups within the service area.
- Area K-12 schools seeking college general education courses for advanced students, career and technical programs, and cultural services.

5. Array of Programs and Services

UACCM meets the needs of these audiences by providing:

- Basic/workplace skills training.
- General education courses necessary to prepare students for transfer to four-year institutions.
- Career and technical training in education, engineering technologies, child development, applied technologies, nursing, and business.
- Business and industry training to meet the needs of current employers and economic development interests.
- Hosts and facilitates the Adult Basic Education (ABE) program.

- Access to graduate and undergraduate programs needed in the region by brokering the delivery of such programs from other colleges and universities.
- Shared use of facilities (libraries, auditoria, etc.) and other types of institutional assets not available elsewhere in the region.
- An opening for residents of the region to participate in the academic and cultural events sponsored by the college.

6. Special Features

- Programs designed for jobs related to production in the Fayetteville Shale.

INSTITUTIONAL ROLE AND SCOPE DESIGNATIONS

Revised July 2008

ACA 6-61-207 requires the Arkansas Higher Education Coordinating Board to establish appropriate institutional role and scope designations in consultation with college and university personnel. The law also requires periodic review of institutional role and scope designations. The Coordinating Board last adopted role and scope designations for each institution in 1999. Act 502 of 2005 amended ACA 6-61-207 by requiring institutional role and scope to address changing economic needs of the state and the new economy.

At the October 27, 2006 AHECB meeting ADHE staff recommended revisions in the role and scope designations for all of the public universities and two-year colleges. Members of the Coordinating Board expressed a desire to avoid proliferating and/or duplicating graduate programs and preferred that the role and scope designations be written in a straightforward manner. The Board voted to defer the agenda item and ask ADHE staff to work with an external consultant to review the language of the role and scope designations.

ADHE secured the services of Dr. Dennis Jones, President, National Center for Higher Education Management Systems, (NCHEMS) and has worked with him since October 2007. Dr. Jones submitted a draft of recommendations in early June 2008. Since that time, ADHE staff has been working with the institutions and have developed final recommendations. Final staff recommendations on the role and scope designations are found on pages 7-9 through 7-64.

The structure of the report is quite different from the present and past role and scope designations. The report explains the structure on pages 7-6 through 7-8. The following comments will provide background for some of the content within the designations.

The Board has expressed concerns about proliferation of graduate programs. The revised designations have addressed the research roles of the universities in terms of statewide and regional impact. The AHECB has granted approval to five institutions to offer doctoral degrees (ASU, UAF, UALR, UAMS, and UCA). UAF and UAMS have carried out most of the research efforts on a statewide basis. The other three have had limited roles in research and doctoral degrees in the past. Since 1999, when the role and scope designations were last reviewed, several legislative acts have impacted upon the roles of ASU and UALR.

- The **Tobacco Settlement Act of 2000** established research roles for UAF, UAMS and ASU through participation in the Arkansas Biosciences Institute. Among the types of research the Institute conducts include agricultural research with medical implications; bioengineering research focused upon the expansion of genetic knowledge and new applications in agricultural-medical fields; and other research related to tobacco that focuses upon identification and application of new therapeutic approaches to tobacco-related illnesses.
- **Act 563 of 2007** authorized the Arkansas Science and Technology Authority (ASTA) to designate universities that would form the Arkansas Research Alliance. Among the five universities that offer doctoral programs ASU, UAF, UALR and UAMS were

selected to participate in the alliance. Act 563 states that ASTA will work with the presidents and chancellors of the research universities and the private sector to improve the state's economy through improving research infrastructure; increase the focus on job-creating research activities and expanded job-creating research activities toward producing more knowledge-based and high-technology jobs in the state.

In 2004, the Milken Institute published a report, "Arkansas' Position in the Knowledge-based Economy". The report recommended that the state utilize key resources, including research institutions, to boost research and science in Arkansas. The report included UALR as one of these institutions.

Given the legislative recognition, the staff recommends language in the role and scope designations of ASU and UALR that reflects their expanded roles in research in Arkansas.

ADHE Executive Staff recommend that the Arkansas Higher Education Coordinating Board approve the following resolution:

RESOLVED, That the Arkansas Higher Education Coordinating Board approves the role and scope designations for Arkansas public colleges and universities as outlined in this agenda item, effective immediately.

FURTHER RESOLVED, That the Coordinating Board instructs the Director of the Arkansas Department of Higher Education to notify the presidents, chancellors, chief academic officers, and institutional board chairs of this action.

Citation: [6-61-207](#)

**ARKANSAS INSTITUTIONS OF HIGHER EDUCATION
ROLE AND SCOPE DESIGNATIONS
Revised July 2008**

Introduction

The Arkansas Higher Education Coordinating Board is charged with establishing appropriate role and scope designations for each public higher education institution in consultation with representatives of the colleges and universities. The statute under which this responsibility is assigned to the Coordinating Board (ACA 6-61-207) also requires that these designations be reviewed on a periodic basis. An amendment to this Act, enacted in 2005, requires these designations to incorporate consideration of the changing economic needs of the state.

The designations under which institutions are currently operating were adopted in 1999. In keeping with the requirement for periodic reviews, the Coordinating Board has undertaken a process designed to yield an updated set of role and scope designations. The results of this effort were presented to the Board for action in October 2007. Concerns expressed by members of the Board led to a deferral of action and a staff decision to engage an external consultant to work with them and representatives of the colleges and universities to develop a set of role and scope designations acceptable to the Board.

It is within this context that staff of the National Center for Higher Education Management Systems (NCHEMS) were asked to:

- Review the 1999 versions of role and scope statements.
- Review the set of statements proposed in 2006 along with information reflecting concerns expressed by Board members.
- Prepare draft statements of mission/role/scope for each public institution in Arkansas.
- Review this draft material at a meeting with Department of Higher Education (DHE) staff and others and submit a final set of suggested statements incorporating modifications to the draft agreed upon at this meeting.

General Approach

In describing the mission/role/scope of colleges and universities, NCHEMS has found it useful to establish such designations by delineating:

- Audiences to be served
- The general array of programs to be offered
- Any special or unique features of institutional mission

7. Audiences

Among the characteristics of audiences to be served are those expressed in terms of:

- Geography—what geographic area is the institution expected to serve?
- Academic preparation—does the institution admit only students with high levels of academic preparation, or does it serve adults regardless of prior levels of academic preparation?

- Age/full-time status. Does the institution primarily serve recent high school graduates, or does it have a special role in serving older (often part-time) students?
- Race/ethnicity. Does the institution have a special role in serving specific subpopulations—African-Americans, Latinos, Native-Americans?
- Employers. Is the institution expected to serve employers:
 - In a region?
 - In specific industries?

8. Array of Programs and Services

Chief among the considerations on this dimension are:

- Level of program. Is the institution authorized to offer doctoral programs? Masters programs? If a community college, is it authorized to offer any programs at the baccalaureate level?
- Academic fields. In particular, what professional programs is the institution authorized to offer (where “professional” is defined broadly to include *applied* programs such as business, education, engineering, and nursing, as well as the more typically acknowledged professional programs of law, medicine, dentistry, etc.)?

9. Special Features

Among the factors in this category are features such as:

- Research emphasis. Is research a primary expectation for the institution? Is the institution expected to create research capacity in specific fields?
- Land-grant status.
- Special delivery capacity. For example, is the institution charged with providing (or managing for the system) online or interactive video courses?

Within this general framework, experience also indicates that it is good practice in the policy sense to avoid the flowery language that often finds its way into descriptions of mission found in promotional pieces. Such language often obscures rather than reveals the true intention of the mission/role/scope statement.

Clear statements of role and scope that adhere to these guidelines have benefits to both institutions and the Coordinating Board. These guidelines will allow for a less onerous new-program-review process as well as a more substantive and clear academic program review process.

A change in institutional role and scope should be a gradual one. Institutions seeking such a substantive change should have established a history of progressing toward such a change so that they can illustrate their institutional capacity to do so. For example, an institution seeking to offer specific courses at a higher degree level than they are currently offering should be able to show that they have the appropriate library holdings to support that change and that they have the economy of scale in student enrollment and current degree production in the academic program to support offering a program with a higher credential. Market demand for the new credential should exist. Some existing faculty should have earned academic credentials that are appropriate to teach at the higher degree level.

Role and scope changes should be a rare occurrence and will most likely involve substantive change reviews by regional and, where applicable, programmatic accreditation agencies. An additional determinant in the decision to approve a role and scope change should be the long-term impact of the state “mix” of institutions with specific role and scope functions.

This set of criteria does **not** mean that certain programs cannot be offered in locations where they are needed and do not currently exist. It does mean, however, that delivery should be under the auspices of an institution with a role and scope that allows delivery without seeking additional approval—either as a joint program with the degree awarded by the “authorized” institution or as a program delivered by an “authorized” institution at an off-campus site.

There is one possible exception to the set of guidelines stated above—the instance in which change of role and scope is forced by an accrediting or licensure organization (as occurred, for example, when entrance to the practice of pharmacy was determined to require a PharmD). In such cases, the approval may have to be granted with the stipulation that approval in no way opens the door to expanding role and scope in fields where change is not essentially mandatory. In particular, expanded role and scope should not be approved for a single program where expansion is voluntary even if the stipulation suggested above is attached; the stipulation will not hold and the floodgates will open to requests for approval of many more programs on an episodic basis.

Institutional Mission/Role/Scope Designations
Revised July 2008

This section contains suggested mission/role/scope statements for each Arkansas institution using the three-part schema described above.

Arkansas State University-Jonesboro

7. Audiences

Primary audiences are:

- Residents of Arkansas, particularly those of the Delta region who have completed a high school education and are seeking either a college degree or continuing professional education.
- Employers, both public and private, seeking well-educated employees, technical assistance and applied research.
- Economic development interests and entrepreneurs in the region and across the state.
- The research community.
- The community and area by providing a broad range of academic and cultural activities and public events.
- K-12 Schools.
- Two-year college transfer students.

8. Array of Programs and Services

ASU offers:

- Associate programs across a range of areas.
- Baccalaureate programs in arts and humanities, the natural sciences and social sciences appropriate for a comprehensive university.
- Baccalaureate and masters programs in a number of professional fields including, but not limited to, agriculture and technology, environmental sciences, communications, education, engineering, nursing and allied health, and business.
- Doctoral programs that meet regional and state needs, most importantly programs in education, heritage studies, environmental sciences, physical therapy, and biosciences.
- Services specifically designed to meet the needs of business and industry, public institutions, and the non-profit sector.

9. Special Features

- Arkansas Biosciences Institute.
- Delta Center for Economic Development and University Museum SITES.
- Beck PRIDE Program for Wounded Veterans.\

Arkansas Tech University

7. Audiences

Arkansas Tech University (ATU) is responsible for serving:

- Residents of the northwest quadrant of Arkansas who have completed a high school education and are seeking either a college degree or continuing professional education and residents of the state through specific degree programs and services.
- Employers in the region, both public and private—school districts, health care providers, local governments, and private businesses.
- Economic development interests and entrepreneurs in the region.
- The community and area by providing a broad range of academic and cultural activities and public events.
- Area K-12 schools seeking college general education courses for advanced students.
- Two-year college transfer students.

8. Array of Programs and Services

ATU serves these audiences by offering:

- Certificate and associate degree programs in applied technologies, nursing and allied health.
- Baccalaureate programs in arts and humanities, the natural sciences, and social sciences appropriate to a teaching institution with a predominantly undergraduate student body.
- Baccalaureate and masters programs in the professional fields of communications, information technology, engineering, education, nursing and allied health, and business.
- Services specifically designed to meet the needs of regional economic development (small business development, support for entrepreneurs, problem-solving).

9. Special Features

- Engineering programs, including an associate degree in nuclear engineering, emergency administration and management, geology, and hospitality administration.
- Arkansas Tech University-Ozark campus provides education in associate and certificate programs.

Henderson State University

7. Audiences

Henderson State University (HSU) is responsible for serving:

- Residents of southwest Arkansas who have completed high school and are seeking either a college degree or continuing professional education and residents of the state through specific degree programs and services.
- Employers in the region, both public and private—school districts, health care providers, local governments, and private businesses.
- Economic development interests and regional entrepreneurs.
- The community and area by providing a broad range of academic and cultural activities and public events.
- Area K-12 schools seeking college general education courses for advanced students.
- Two-year college transfer students.

8. Array of Programs and Services

HSU serves these audiences by providing:

- An array of liberal arts programs at the baccalaureate level—arts and humanities, social sciences, natural sciences—appropriate to a teaching institution with a predominantly undergraduate student body.
- Baccalaureate programs in education, business, and nursing.
- Masters programs in education, the liberal arts, and business.
- An Education Specialist program.
- Services specifically designed to meet the needs of regional economic development (small business development, support for entrepreneurs, problem-solving).

9. Special Features

- HSU has adopted the mission of the state's Public Liberal Arts University.
- Baccalaureate program for training commercial airline pilots.

Southern Arkansas University

7. Audiences

Southern Arkansas University (SAU) in Magnolia is responsible for serving:

- Residents of southwest and south central Arkansas who have completed a high school education and are seeking either a college degree or continuing professional education and residents of the state through specific degree programs and services.
- Employers in the region, both public and private—school districts, health care providers, local governments, and private businesses.
- Economic development interests and entrepreneurs in the region.

- The community and area by providing a broad range of academic and cultural activities and public events.
- Area K-12 schools seeking college general education courses for advanced students.
- Two-year college transfer students.

8. Array of Programs and Services

SAU serves its primary audiences by providing:

- An associate and baccalaureate-level program in nursing.
- Baccalaureate programs in arts and humanities, the natural sciences, and social sciences appropriate to a teaching institution with a predominantly undergraduate student body.
- Baccalaureate programs in the professional fields of business, education, nursing, and human services (i.e., social work and criminal justice).
- Masters programs in education, computer science, kinesiology, counseling, public administration, and business administration, and agriculture.
- Services specifically designed to meet the needs of regional economic development (small business development, support for entrepreneurs, problem-solving).

9. Special Features

- Agriculture and education programs.
- Regional natural resources research with emphasis in lignite development.
- Nursing programs to assist regional medical community needs.

University of Arkansas, Fayetteville

7. Audiences

The University of Arkansas, Fayetteville (UAF) has a statewide mission. As such, its audiences are:

- Residents from throughout Arkansas who have excelled in high school studies and are seeking to complete baccalaureate degrees.
- Individuals seeking graduate and professional degrees.
- Employers, both public and private, seeking not only well-educated employees but technical assistance and applied research.
- Economic development interests and entrepreneurs throughout the state.
- Academic disciplines and the research community.
- The community and area by providing a broad range of academic and cultural activities and public events.
- Two-year college transfer students.

8. Array of Programs and Services

UAF offers:

- A broad range of baccalaureate, masters, doctoral and professional programs that include core arts and sciences, agriculture, architecture, journalism, information sciences, education, engineering, law, public administration, nursing, allied health, and business.
- Basic and applied research
- Services specifically designed to meet the needs of statewide economic development— continuing professional education, technical and professional services, support of small businesses and entrepreneurs, and technology transfer.

9. Special Features

- UAF is the state's 1862 land-grant institution and is classified as a Carnegie very high research activity university.
- Nationally competitive research and economic development activity in emerging areas such as nanotechnology, laser technology, biotechnology, and sustainability.
- Library resources and special holdings such as the Fulbright papers made available through on-site and electronic access to student and faculty scholars and citizens throughout the state.

University of Arkansas - Fort Smith

7. Audiences

The University of Arkansas - Fort Smith (UAFS) is responsible for serving:

- Residents of west and west central Arkansas who have completed a high school education and are seeking a college degree or continuing professional education and residents of the state through specific degree programs and services.
- Employers in the region, both public and private—including school districts, health care providers, local governments, and private businesses.
- Economic development interests and entrepreneurs in the region.
- The community and area by providing a broad range of academic and cultural activities and events.
- Area K-12 schools seeking college general education courses for advanced students.
- Two-year college transfer students.

8. Array of Programs and Services

UAFS serves these audiences by providing:

- Certificate and associate degree programs in the applied technologies, nursing and allied health fields.
- Baccalaureate programs in arts and humanities, the natural sciences, and social sciences appropriate to a teaching institution with an undergraduate student body.

- Baccalaureate programs in the applied fields of nursing and allied health, education, applied sciences, and business.
- Services designed specifically to meet the needs of regional economic development (small business development, support for entrepreneurs, problem-solving).

9. Special Features

- Incorporation of applied, hands-on learning experiences as an integral component of educational programs.
- Integration of a globally focused approach to general education and enhanced international study options in all degree programs.
- Experiential learning emphases and internship opportunities in most majors.

University of Arkansas at Little Rock

7. Audiences

As the state's metropolitan university, the University of Arkansas at Little Rock (UALR) has the responsibility for serving:

- Residents of Arkansas and the Little Rock metropolitan area who have completed a high school education and are seeking either a college degree or continuing professional education. As a metropolitan university, the institution serves adult, part-time students in particular.
- Employers across the state, particularly in the region, both public and private, seeking well-educated employees, technical assistance and applied research.
- Economic development interests and entrepreneurs in the region and across the state.
- The research community.
- The community and area by providing a broad range of academic and cultural activities and public events.
- Area K-12 schools seeking college general education courses for advanced students.
- Two-year college transfer students.

8. Array of Programs and Services

UALR serves these audiences by providing:

- Baccalaureate programs in arts and humanities, the natural sciences, and social sciences appropriate to a teaching institution with a predominantly undergraduate student body.
- Associate, baccalaureate and masters programs in the professional fields of particular importance in the region, including journalism and communications, public administration and community services, computer and information science, nursing, human services (including social work and criminal justice), education, engineering, and business.
- Doctoral programs most needed by regional and state employers, most importantly programs in education and applied science.

- Services specifically designed to meet the needs of statewide and regional economic development— continuing professional education, technical and professional services, support of small businesses and entrepreneurs, and technology transfer.

9. Special Features

- Institute for Economic Advancement.
- Nanotechnology Center.
- UALR-UAMS joint academic and research programs.

University of Arkansas at Monticello

7. Audiences

The University of Arkansas at Monticello (UAM) is responsible for serving:

- Residents of southeast Arkansas who have completed a high school education and are seeking a college degree or continuing professional education and residents of the state through specific degree programs and services.
- Employers in the region in both public and private sectors—school districts, health care providers, local governments, and private employers including the agriculture and forest products industries.
- Regional economic development interests and entrepreneurs.
- The community and area by providing a broad range of academic and cultural activities and public events.
- Area K-12 schools seeking college general education courses for advanced students.
- Two-year college transfer students.

8. Array of Programs and Services

UAM serves these audiences by providing:

- Certificate and associate programs in applied technologies including nursing and selected allied health fields.
- Baccalaureate programs in arts and humanities, the natural sciences, and social sciences appropriate to a teaching institution with a predominantly undergraduate student body.
- Baccalaureate programs in the professional fields of forestry, education, community services, nursing, business, and human services (i.e. social work and criminal justice).
- Masters programs in forestry and education.
- Services specifically designed to meet the needs of regional economic development (small business development, support for entrepreneurs, problem-solving).

9. Special Features

- An open admission university.
- Forest Resources program.

- UAM College of Technology campuses in Crossett and McGehee provide education in associate, certificate programs, and the Arkansas Heavy Equipment Operator Training Academy offers training and certification for timber and construction equipment operation.

University of Arkansas at Pine Bluff

7. Audiences

The University of Arkansas at Pine Bluff (UAPB) is responsible for serving:

- Residents of the state of Arkansas, with particular emphasis on the Delta, who have completed high school and are seeking either a college degree or continuing professional education.
- Regional and state employers, both public and private—including school districts, health care providers, local governments, community agencies and private businesses, especially those in agricultural areas.
- Regional and state economic development interests and entrepreneurs.
- The community and area by providing a broad range of academic and cultural activities and public events.
- Area K-12 schools seeking college general education courses for advanced students.
- Two-year college transfer students.

8. Array of Programs and Services

UAPB serves these audiences by providing:

- Baccalaureate programs in arts and humanities, the natural sciences, and social sciences appropriate to a teaching institution with a predominantly undergraduate student body.
- Baccalaureate programs in the professional fields of agriculture, computer and information sciences, education, community services, nursing, regulatory science and business.
- Masters programs in education, substance abuse counseling, and aquaculture and fisheries, agricultural regulations and other areas.
- PhD in aquaculture and fisheries
- Services and programs specifically designed to meet the needs of the state and regional community and economic development with a particular emphasis on diverse and rural populations.

9. Special Features

- Arkansas' historically black university and the state's 1890 land-grant institution.
- Graduate-level Addiction Studies Program.
- Center of Excellence in Aquaculture/Fisheries and USDA Center of Excellence in Regulatory Science.

University of Central Arkansas

9. Audiences

The University of Central Arkansas (UCA) is responsible for serving:

- Residents of the state, particularly those in central Arkansas who have completed high school and are seeking either a college degree or continuing professional education.
- Regional and state employers, both public and private—including school districts, health care providers, local governments, private businesses and community agencies seeking technical assistance and applied research.
- Economic development interests and entrepreneurs in the region and across the state.
- The community and area by providing a broad range of academic and cultural activities and public events.
- Area K-12 schools seeking college general education courses for advanced students.
- Two-year college transfer students.

10. Array of Programs and Services

UCA serves these audiences by providing:

- Baccalaureate arts and science programs in the variety appropriate to a comprehensive, teaching university.
- Baccalaureate programs in the professional fields of journalism, computer and information sciences, education, public administration, nursing and allied health, and business.
- Masters programs in education, business, nursing, allied health and selected arts and science fields.
- Doctoral programs in physical therapy, communicative sciences and disorders, leadership studies, and school psychology.
- Services specifically designed to meet the needs of state and regional economic development.

11. Special Features

- UCA supports Arkansas public schools through the Arkansas Center for Mathematics and Science Education, the Arkansas Public School Resources Center, and other initiatives.
- UCA is a regional center of the Asian Studies Development Program for the East-West Center.
- UCA serves communities and their leaders through the Community Development Institute – the first such organization in the nation, established in 1987 – and related initiatives.

University of Arkansas for Medical Sciences

5. Audiences

The University of Arkansas for Medical Sciences (UAMS) is a statewide institution serving:

- Those individuals seeking an education that will prepare them for entry into the health care professions.
- Health care professionals seeking continuing professional education.
- Employers, most specifically health care providers.
- Patients in locations throughout Arkansas.
- The economic development interests of the state.

6. Array of Programs and Services

To serve these audiences, UAMS provides:

- Certificate and associate programs in allied health fields.
- Baccalaureate programs in nursing and allied health fields.
- Masters programs in biomedical sciences, nursing, allied health and public health.
- Professional doctoral programs in medicine, pharmacy, public health and audiology.
- Ph.D. programs in biomedical sciences, nursing and public health.
- Residency and fellowship programs for physicians
- Basic and applied research.
- Direct patient care through the university hospital, affiliated clinics and a system of Area Health Education Centers.
- Regional programs at many sites throughout Arkansas.
- Services designed to promote economic development through commercialization of results of its biomedical/biotechnology research.

12. Special Features

- Growing research productivity relating to cancer, aging, addictions and public health.
- UAMS Arkansas Bioventures, a business and technology incubator.
- Care of patients from all Arkansas counties, all states and many foreign countries.

Arkansas Northeastern College

7. Audiences

Arkansas Northeastern College (ANC) is responsible for serving:

- The residents of Mississippi, Craighead, Poinsett and Greene counties who are seeking:
 - Preparation for transfer to four-year institutions.
 - Career-technical education.

- Upgrading of skills.
- Completion of GED.
- Employers in the area seeking employees who have basic workplace and technical skills or employers seeking to upgrade skills of current employees.
- Economic development interests in the area.
- Communities and civic groups within the service area.
- Area K-12 schools seeking college general education courses for advanced students, career and technical programs, and cultural services.

8. Array of Programs and Services

ANC serves the needs of these audiences by providing:

- Basic/workplace skills training.
- General education courses necessary to prepare students for transfer to four-year institutions.
- Career and technical education in applied technologies, nursing and selected allied health fields, criminal justice, and early childhood education.
- Business and industry training to meet the needs of current employers and economic development interests.
- Hosts and facilitates the Adult Basic Education (ABE) program.
- Access to graduate and undergraduate programs needed in the region by brokering the delivery of such programs from other colleges and universities.
- Shared use of facilities (libraries, auditoria, etc.) and other types of institutional assets not available elsewhere in the region.
- An opening for residents of the region to participate in the academic and cultural events sponsored by the college.

9. Special Features

- Member of the Arkansas Delta Training and Education Consortium, which provides a regional approach to meeting current and future educational and business needs in the Arkansas Delta.
- University Center operated since 1992, hosting numerous undergraduate and graduate degree programs.
- “The Solutions Group”, an innovative business and industry training and services organization which operates as a division of the college.

Arkansas State University-Beebe

7. Audiences

Arkansas State University-Beebe (ASUB) is responsible for serving:

- The residents of Jackson, White, Prairie, Woodruff, Lonoke, Craighead, Poinsett and Faulkner counties who are seeking:
 - Preparation for transfer to four-year institutions.
 - Career-technical education.

- Upgrading of skills.
- Completion of GED.
- Employers in the area seeking employees who have basic workplace and technical skills or employers seeking to upgrade skills of current employees.
- Economic development interests in the area.
- Communities and civic groups within the service area.
- Area K-12 schools seeking college general education courses for advanced students, career and technical programs, and cultural services.

8. Array of Programs and Services

ASUB serves the needs of these audiences by providing:

- Basic/workplace skills training.
- General education courses necessary to prepare students for transfer to four-year institutions.
- Career and technical education in applied technologies, nursing and selected allied health fields, child care (early childhood), and business.
- Business and industry training to meet the needs of current employers and economic development interests.
- Hosts and facilitates the Adult Basic Education (ABE) program.
- Access to graduate and undergraduate programs needed in the region by brokering the delivery of such programs from other colleges and universities.
- Shared use of facilities (libraries, auditoria, etc.) and other types of institutional assets not available elsewhere in the region.
- An opening for residents of the region to participate in the academic and cultural events sponsored by the college.

9. Special Features

- A two-year agriculture equipment technician program in cooperation with the John Deere Corporation.
- A two-year veterinarian technician program endorsed by and in cooperation with the Arkansas Veterinarian Medical Association.
- A Shale Gas Drilling training program endorsed by and in cooperation with Chesapeake, Nomac, and Union Drilling.

Arkansas State University-Mountain Home

7. Audiences

Arkansas State University-Mountain Home (ASUMH) is responsible for serving:

- The residents of Baxter and Marion counties who are seeking:
 - Preparation for transfer to four-year institutions.
 - Career-technical education.
 - Upgrading of skills.
 - Completion of GED.

- Employers in the area seeking employees who have basic workplace and technical skills or employers seeking to upgrade skills of current employees.
- Economic development interests in the area.
- Communities and civic groups within the service area.
- Area K-12 schools seeking college general education courses for advanced students, career and technical programs, and cultural services.

8. Array of Programs and Services

ASUMH serves the needs of these audiences by providing:

- General education courses necessary to prepare students for transfer to four-year institutions.
- Career and technical education in information sciences, nursing and selected allied health fields, criminal justice, and secretarial sciences.
- Business and industry training to meet the needs of current employers and economic development interests.
- Hosts and facilitates the Adult Basic Education (ABE) program.
- Access to graduate and undergraduate programs needed in the region by brokering the delivery of such programs from other colleges and universities.
- Shared use of facilities (libraries, auditoria, etc.) and other types of institutional assets not available elsewhere in the region.
- An opening for residents of the region to participate in the academic and cultural events sponsored by the college.
- Basic/workplace skills training

9. Special Features

- Unique efforts include collaborative endeavors with the UAMS College of Health-Related Professions to offer programs locally and the only Funeral Science program offered via distance delivery in the state.
- Based on the Northwest Region Occupation Projections from the Department of Workforce Services, and with input from local business and industry partners, offerings at ASUMH address 10 of the identified occupational needs requiring post-secondary education.

Arkansas State University-Newport

7. Audiences

Arkansas State University-Newport (ASUN) is responsible for serving:

- The residents of Jackson, White, Prairie, Woodruff, Lonoke, Craighead, Poinsett and Faulkner counties who are seeking:
 - Preparation for transfer to four-year institutions.
 - Career-technical education.
 - Upgrading of skills.
 - Completion of GED.

- Employers in the area seeking employees who have basic workplace and technical skills or employers seeking to upgrade skills of current employees.
- Economic development interests in the area.
- Communities and civic groups within the service area.
- Area K-12 schools seeking college general education courses for advanced students, career and technical programs, and cultural services.

8. Array of Programs and Services

ASUN serves the needs of these audiences by providing:

- Basic/workplace skills training.
- General education courses necessary to prepare students for transfer to four-year institutions.
- Career and technical education in applied technologies, nursing, education, information systems, and business and office occupations.
- Business and industry training to meet the needs of current employers and economic development interests.
- Hosts and facilitates the Adult Basic Education (ABE) program.
- Access to graduate and undergraduate programs needed in the region by brokering the delivery of such programs from other colleges and universities.
- Shared use of facilities (libraries, auditoria, etc.) and other types of institutional assets not available elsewhere in the region.
- An opening for residents of the region to participate in the academic and cultural events sponsored by the college.

9. Special Features

- A Commercial Driver Training Program.
- Member of the Arkansas Delta Training and Education Consortium, which provides a regional approach to meeting current and future educational and business needs in the Arkansas Delta.
- Only High Voltage Lineman Technology program in the state.

Black River Technical College

7. Audiences

Black River Technical College (BRTC) is responsible for serving:

- The residents of Randolph, Lawrence, Clay and Greene counties who are seeking:
 - Preparation for transfer to four-year institutions.
 - Career-technical education.
 - Upgrading of skills.
 - Completion of GED.
- Employers in the area seeking employees who have basic workplace and technical skills or employers seeking to upgrade skills of current employees.

- Economic development interests in the area.
- Communities and civic groups within the service area.
- Area K-12 schools seeking college general education courses for advanced students, career and technical programs, and cultural services.

8. Array of Programs and Services

BRTC serves the needs of these audiences by providing:

- Basic/workplace skills training.
- General education courses necessary to prepare students for transfer to four-year institutions.
- Career and technical education in applied technologies, child care, cosmetology, nursing and allied health professions, accounting, and secretarial sciences.
- Business and industry training to meet the needs of current employers and economic development interests.
- Hosts and facilitates the Adult Basic Education (ABE) program.
- Access to graduate and undergraduate programs needed in the region by brokering the delivery of such programs from other colleges and universities.
- Shared use of facilities (libraries, auditoria, etc.) and other types of institutional assets not available elsewhere in the region.
- An opening for residents of the region to participate in the academic and cultural events sponsored by the college.

9. Special Features

- Associates program in Fire Training.
- Partnership with the Arkansas Fire Academy and the National Fire Academy.

College of the Ouachitas

7. Audiences

College of the Ouachitas (COTO) is responsible for serving the needs of:

- The residents of Hot Spring, Clark, Dallas, Grant and Saline counties who are seeking:
 - Preparation for transfer to four-year institutions.
 - Career-technical education.
 - Upgrading of skills.
 - Completion of GED.
- Employers in the area seeking employees who have basic workplace and technical skills or employers seeking to upgrade skills of current employees.
- Economic development interests in the area.
- Communities and civic groups within the service area.

- Area K-12 schools seeking college general education courses for advanced students, career and technical programs, and cultural services.

8. Array of Programs and Services

COTO serves the needs of these audiences by providing:

- Basic/workplace skills training.
- General education courses necessary to prepare matriculated students and high school students for transfer to four-year institutions.
- Occupational training in computer sciences and applications, criminal justice, cosmetology, early childhood education, applied technologies, nursing and selected allied health fields, and business and office occupations.
- Business and industry training and apprenticeships, both credit and non-credit, to meet the needs of current employers and economic development interests.
- Hosts and facilitates the Adult Basic Education (ABE) program.
- Access to graduate and undergraduate programs needed in the region by brokering the delivery of such programs from other colleges and universities.
- Shared use of facilities (libraries, auditoria, etc.) and other types of institutional assets not available elsewhere in the region.
- An opening for residents of the region to participate in the academic and cultural events sponsored by the college.

3. Special Features:

- Electrical Apprenticeship program.
- Cosmetology program.
- Paramedic to RN program.

Cossatot Community College of the University of Arkansas

7. Audiences

Cossatot Community College of the University of Arkansas (CCCUA) is responsible for serving:

- The residents of Sevier, Little River, Howard and Pike counties who are seeking:
 - Preparation for transfer to four-year institutions.
 - Career-technical education.
 - Upgrading of skills.
 - Completion of GED.
- Employers in the area seeking employees who have basic workplace and technical skills or employers seeking to upgrade skills of current employees.
- Economic development interests in the area.
- Communities and civic groups within the service area.
- Area K-12 schools seeking college general education courses for advanced students, career and technical programs, and cultural services.

8. Array of Programs and Services

CCCUA serves the needs of these audiences by providing:

- Basic/workplace skills training.
- General education courses necessary to prepare students for transfer to four-year institutions.
- Career and technical education in applied technologies, education and child care, nursing and selected allied health professions, computing and information systems, and general business.
- Business and industry training to meet the needs of current employers and economic development interests.
- Hosts and facilitates the Adult Basic Education (ABE) program.
- Access to graduate and undergraduate programs needed in the region by brokering the delivery of such programs from other colleges and universities.
- Shared use of facilities (libraries, auditoria, etc.) and other types of institutional assets not available elsewhere in the region.
- An opening for residents of the region to participate in the academic and cultural events sponsored by the college.

9. Special Features

- Howard County and Little River County campus locations.
- Various community computer and educational centers.
- Mobile Classrooms.

East Arkansas Community College

7. Audiences

East Arkansas Community College (EACC) is responsible for serving:

- The residents of St. Francis, Cross, Lee, Monroe, Woodruff and Poinsett counties who are seeking:
 - Preparation for transfer to four-year institutions.
 - Career-technical education.
 - Upgrading of skills.
- Employers in the area seeking employees who have basic workplace and technical skills or employers seeking to upgrade skills of current employees.
- Economic development interests in the area.
- Communities and civic groups within the service area.
- Area K-12 schools seeking college general education courses for advanced students, career and technical programs, and cultural services.

8. Array of Programs and Services

EACC serves the needs of these audiences by providing:

- Basic/workplace skills training.
- General education courses necessary to prepare students for transfer to four-year institutions.
- Career and technical education in computer systems and applications, police science, nursing and selected allied health professions, business and office occupations.
- Business and industry training to meet the needs of current employers and economic development interests.
- Access to graduate and undergraduate programs needed in the region by brokering the delivery of such programs from other colleges and universities.
- Shared use of facilities (libraries, auditoria, etc.) and other types of institutional assets not available elsewhere in the region.
- An opening for residents of the region to participate in the academic and cultural events sponsored by the college.

9. Special Features

- Member of the Arkansas Delta Training and Education Consortium, which provides a regional approach to meeting current and future educational and business needs in the Arkansas Delta.
- Plastic Injection Molding Training facilities.
- A Cisco Regional Academy.

Mid-South Community College

7. Audiences

Mid-South Community College (MSCC) is responsible for serving the needs of:

- The residents of Crittenden and Poinsett counties who are seeking:
 - Preparation for college-level studies.
 - Preparation for transfer to four-year institutions.
 - Career-technical education.
 - Upgrading of skills.
 - Completion of GED.
- Employers in the area seeking employees who have basic workplace and technical skills or employers seeking to upgrade skills of current employees.
- Economic development interests in the area.
- Communities and civic groups within the service area.
- Area K-12 schools seeking college general education courses for advanced students, career and technical programs, and cultural services.

8. Array of Programs and Services

MSCC serves these audiences by providing:

- Basic/workplace skills training.
- General education courses necessary to prepare students for transfer to four-year institutions.
- Career and technical education in computer systems and applications, diesel technology including an engine testing facility and chemical analysis of alternative fuels, advanced manufacturing with an emphasis on Computer Numeric Controls, and other applied technologies.
- Business and industry training to meet the needs of current employers and economic development interests.
- Hosts and facilitates the Adult Basic Education (ABE) program.
- Access to graduate and undergraduate programs needed in the region by brokering the delivery of such programs from other colleges and universities.
- Shared use of facilities (libraries, auditoria, etc.) and other types of institutional assets not available elsewhere in the region.
- An opening for residents of the region to participate in the academic and cultural events sponsored by the college.

9. Special Features

- Member of the Arkansas Delta Training and Education Consortium, which provides a regional approach to meeting current and future educational and business needs in the Arkansas Delta.
- A Cisco Regional Academy.
- The MSCC Technical Center which offers technical training to area high school students in information systems technology, diesel technology, manufacturing, and allied health.

National Park Community College

1. Audiences

National Park Community College (NPCC) is responsible for serving the needs of:

- The residents of Garland, Saline and Montgomery counties who are seeking:
 - Preparation for transfer to four-year institutions.
 - Career-technical education.
 - Upgrading of skills.
 - Completion of GED.
- Employers in the area seeking employees who have basic workplace and technical skills or employers seeking to upgrade skills of current employees.
- Economic development interests in the area.
- Communities and civic groups within the service area.
- Area K-12 schools seeking college general education courses for advanced students, career and technical programs, and cultural services.

6. Array of Programs and Services

NPCC serves the needs of these audiences by providing:

- Basic/workplace skills training.
- General education courses necessary to prepare students for transfer to four-year institutions.
- Career and technical education in child care and education, police and fire sciences, construction trades, applied technologies, nursing and a variety of allied health professions, hospitality management, accounting and office occupations.
- Business and industry training to meet the needs of current employers and economic development interests.
- Hosts and facilitates the Adult Basic Education (ABE) program.
- Access to graduate and undergraduate programs needed in the region by brokering the delivery of such programs from other colleges and universities.
- Shared use of facilities (libraries, auditoria, etc.) and other types of institutional assets not available elsewhere in the region.
- An opening for residents of the region to participate in the academic and cultural events sponsored by the college.

5. Special Features

- Allied Health programs.
- Marine Repair Technology program.
- High School Tech Center.

North Arkansas College

7. Audiences

North Arkansas College (NorthArk) is responsible for serving the needs of:

- The residents of Boone, Carroll, Madison, Newton, Searcy and Marion counties who are seeking:
 - Preparation for transfer to four-year institutions.
 - Career-technical education.
 - Upgrading of skills.
 - Completion of GED.
- Employers in the area seeking employees who have basic workplace and technical skills or employers seeking to upgrade skills of current employees.
- Economic development interests in the area.
- Communities and civic groups within the service area.
- Area K-12 schools seeking college general education courses for advanced students, career and technical programs, and cultural services.

8. Array of Programs and Services

NorthArk serves these audiences by providing:

- Basic/workplace skills training.
- General education courses necessary to prepare students for transfer to four-year institutions.
- Career and technical education in applied technologies, engineering and science technologies, computer systems and applications, nursing and selected allied health professions, business and office occupations.
- Business and industry training to meet the needs of current employers and economic development interests.
- Hosts and facilitates the Adult Basic Education (ABE) program.
- Access to graduate and undergraduate programs needed in the region by brokering the delivery of such programs from other colleges and universities.
- Shared use of facilities (libraries, auditoria, etc.) and other types of institutional assets not available elsewhere in the region.
- An opening for residents of the region to participate in the academic, cultural and athletic events sponsored by the college.

9. Special Features:

- NorthArk with its partner, North Arkansas Regional Medical Center, offers professional and community health education through the North Arkansas Partnership for Health Education to complement its credit allied health programs.
- The NorthArk Technical Center provides technical occupational programs for high schools in NorthArk's service area.
- NorthArk provides opportunities for athletes from its service area high schools to continue their participation in intercollegiate sports including basketball, baseball, softball, and rodeo.

NorthWest Arkansas Community College

5. Audiences

Northwest Arkansas Community College (NWACC) is responsible for serving the needs of:

- The residents of Benton and Washington counties who are seeking:
 - Preparation for transfer to four-year institutions.
 - Career-technical education.
 - Upgrading of skills.
 - Completion of GED.
 - English as a second language (ESL).
- Employers in the area seeking employees who have basic workplace and technical skills or employers seeking to upgrade skills of current employees.
- Economic development interests in the area.
- Communities and civic groups within the service area.

- Area K-12 schools seeking college general education courses for advanced students, career and technical programs, and cultural services.

6. Array of Programs and Services

NWACC serves the needs of these audiences by providing:

- Basic/workplace skills training.
- General education courses necessary to prepare students for transfer to four-year institutions.
- Career and technical education in computer and information sciences, engineering technologies, legal assisting, criminal justice and fire safety, nursing and selected allied health fields, and business management and other career fields/professions as identified by community needs.
- Business and industry training to meet the needs of current employers and economic development interests.
- Hosts and facilitates the Adult Basic Education (ABE) program.
- Access to graduate and undergraduate programs needed in the region by brokering the delivery of such programs from other colleges and universities.
- Shared use of facilities (libraries, auditoria, etc.) and other types of institutional assets not available elsewhere in the region.
- An opening for residents of the region to participate in the academic and cultural events sponsored by the college.

7. Special Features:

- Nationally and internationally delivered programs/services as identified by the region's corporate and business leaders and national organizations including but not limited to the following: The Institute for Corporate and Public Safety, The National Child Protection Training Center (Southern United States), and the Global Business Development Center.

Ozarka College

5. Audiences

Ozarka College (Ozarka) is responsible for serving the needs of:

- The residents of IZard, Fulton, Sharp and Stone counties who are seeking:
 - Preparation for transfer to four-year institutions.
 - Career-technical education.
 - Upgrading of skills.
 - Completion of GED.
- Employers in the area seeking employees who have basic workplace and technical skills or employers seeking to upgrade skills of current employees.
- Economic development interests in the area.
- Communities and civic groups within the service area.

- Area K-12 schools seeking college general education courses for advanced students, career and technical programs, and cultural services.

6. Array of Programs and Services

Ozarka serves the needs of these audiences by providing:

- Basic/workplace skills training.
- General education courses necessary to prepare students for transfer to four-year institutions.
- Occupational training in selected applied technologies, child care and education, culinary arts, nursing and selected allied health fields, and secretarial sciences.
- Business and industry training to meet the needs of current employers and economic development interests.
- Hosts and facilitates the Adult Basic Education (ABE) program.
- Access to graduate and undergraduate programs needed in the region by brokering the delivery of such programs from other colleges and universities.
- Shared use of facilities (libraries, auditoria, etc.) and other types of institutional assets not available elsewhere in the region.
- An opening for residents of the region to participate in the academic and cultural events sponsored by the college.

9. Special Features:

- Significant LPN programs in three counties to provide for the growing need for skilled health care workers in rural north central Arkansas.
- State and nationally recognized Culinary Arts program providing skilled culinary workers that compete regionally for outstanding careers in the food service industry.
- Expanding grant programs to address health, nutrition, exercise and life-long learning for the growing population of senior citizens in north central Arkansas.

Phillips Community College of the University of Arkansas

7. Audiences

Phillips Community College of the University of Arkansas (PCCUA) is responsible for serving the needs of:

- The residents of Phillips, Arkansas, Desha, Lee and Monroe counties who are seeking:
 - Preparation for transfer to four-year institutions.
 - Career-technical education.
 - Upgrading of skills.
 - Completion of GED.
- Employers in the area seeking employees who have basic workplace and technical skills or employers seeking to upgrade skills of current employees.
- Economic development interests in the area.
- Communities and civic groups within the service area.

- Area K-12 schools seeking college general education courses for advanced students, career and technical programs, and cultural services.

8. Array of Programs and Services

PCCUA meets the needs of these audiences by providing:

- Basic/workplace skills training.
- General education courses necessary to prepare students for transfer to four-year institutions.
- Occupational training in computer systems and applications, early childhood/child care, cosmetology, applied technologies, nursing and selected allied health professions, and business.
- Business and industry training to meet the needs of current employers and economic development interests.
- Hosts and facilitates the Adult Basic Education (ABE) program.
- Access to graduate and undergraduate programs needed in the region by brokering the delivery of such programs from other colleges and universities.
- Shared use of facilities (libraries, auditoria, etc.) and other types of institutional assets not available elsewhere in the region.
- An opening for residents of the region to participate in the academic and cultural events sponsored by the college.

9. Special Features

- Member of the Arkansas Delta Training and Education Consortium, which provides a regional approach to meeting current and future educational and business needs in the Arkansas Delta.
- Campuses at Stuttgart and Dewitt.
- Owns and makes available to the public the Pillow-Thompson House widely regarded as one of the finest examples of Queen Anne architecture in the South.

Pulaski Technical College

7. Audiences

Pulaski Technical College (Pulaski Tech) is responsible for serving the needs of:

- The residents of Pulaski, Saline, Faulkner and Lonoke counties who are seeking:
 - Preparation for transfer to four-year institutions.
 - Career-technical education.
 - Upgrading of skills.
 - Completion of GED.
- Employers in the area seeking employees who have basic workplace and technical skills or employers seeking to upgrade skills of current employees.
- Economic development interests in the area.
- Communities and civic groups within the service area.
- Area K-12 schools seeking college general education courses for advanced students, career and technical programs, and cultural services.

8. Array of Programs and Services

Pulaski Tech meets the needs of these audiences by providing:

- Basic/workplace skills training.
- General education courses necessary to prepare students for transfer to four-year institutions.
- Career-technical education in aerospace technology; transportation technology; manufacturing technology; construction technology; information technology; applied technology; engineering technologies; nursing and allied health fields; hospitality, culinary arts, cosmetology and other personal service fields; business, office and paralegal technologies; and early childhood development.
- Business and industry training to meet the needs of current employers and economic development interests.
- Hosts and facilitates the Adult Basic Education (ABE) program.
- Access to graduate and undergraduate programs needed in the region by brokering the delivery of such programs from other colleges and universities.
- Shared use of facilities (libraries, auditoria, etc.) and other types of institutional assets not available elsewhere in the region.
- An opening for residents of the region to participate in the academic and cultural events sponsored by the college.

5. Special Features:

- Pulaski Technical College is the state's largest comprehensive two-year college, offering an extensive array of technical and occupational programs to meet the needs of business and industry.
- College Business and Industry Center serves the corporate and continuing education needs of the state's largest industry sectors (i.e. aerospace, manufacturing, information technology, service, small business, etc.).
- Operates the Arkansas Culinary School, providing associate degrees and technical certificates that meet the needs of the state's hospitality, food and beverage industries.

Rich Mountain Community College

5. Audiences

Rich Mountain Community College (RMCC) is responsible for meeting the needs of:

- The residents of Polk, Scott, Montgomery, Pike and Howard counties who are seeking:
 - Preparation for transfer to four-year institutions.
 - Career-technical education.
 - Upgrading of skills.
 - Completion of GED.
- Employers in the area seeking employees who have basic workplace and technical skills or employers seeking to upgrade skills of current employees.

- Economic development interests in the area.
- Communities and civic groups within the service area.
- Area K-12 schools seeking college general education courses for advanced students, career and technical programs, and cultural services.

6. Array of Programs and Services

RMCC meets the needs of these audiences by providing:

- Basic/workplace skills training.
- General education courses necessary to prepare students for transfer to four-year institutions.
- Occupational training in computer and information systems, child development, selected applied technologies, practical nursing, and business/office occupations.
- Business and industry training to meet the needs of current employers and economic development interests.
- Hosts and facilitates the Adult Basic Education (ABE) program.
- Access to graduate and undergraduate programs needed in the region by brokering the delivery of such programs from other colleges and universities.
- Shared use of facilities (libraries, auditoria, etc.) and other types of institutional assets not available elsewhere in the region.
- An opening for residents of the region to participate in the academic and cultural events sponsored by the college.

9. Special Features:

- Off-campus sites at Waldron, Mt. Ida, and Wickes.
- Hosts Secondary Career Center technical programs for high schools in the service area.
- Involved in the development of the airport industry at the Mena Airport.

South Arkansas Community College

5. Audiences

South Arkansas Community College (SouthArk) is responsible for serving the needs of:

- The residents of Union, Ashley, Chicot and Bradley counties who are seeking:
 - Preparation for transfer to four-year institutions.
 - Career-technical education.
 - Upgrading of skills.
 - Completion of GED.
- Employers in the area seeking employees who have basic workplace and technical skills or employers seeking to upgrade skills of current employees.
- Economic development interests in the area.
- Communities and civic groups within the service area.
- Area K-12 schools seeking college general education courses for advanced students, career and technical programs, and cultural services.

6. Array of Programs and Services

SouthArk meets the needs of these audiences by providing:

- Basic/workplace skills training.
- General education courses necessary to prepare students for transfer to four-year institutions.
- Occupational training in education/early childhood, applied technologies, commercial vehicle operation, nursing and numerous allied health fields, and business and office occupations.
- Business and industry training to meet the needs of current employers and economic development interests.
- Hosts and facilitates the Adult Basic Education (ABE) program.
- Access to graduate and undergraduate programs needed in the region by brokering the delivery of such programs from other colleges and universities.
- Shared use of facilities (libraries, auditoria, etc.) and other types of institutional assets not available elsewhere in the region.
- An opening for residents of the region to participate in the academic and cultural events sponsored by the college.

5. Special Features

- Numerous health science programs. El Dorado is the medical center of South Arkansas.
- Program in teacher education.
- Workforce education programs that have received state and national recognition.

Southern Arkansas University-Tech

7. Audiences

Southern Arkansas University Tech (SAU-Tech) is responsible for meeting the needs of:

- The residents of Ouachita, Calhoun, Columbia and Dallas counties who are seeking:
 - Preparation for transfer to four-year institutions.
 - Career-technical education.
 - Upgrading of skills.
 - Completion of GED.
- Employers in the area seeking employees who have basic workplace and technical skills or employers seeking to upgrade skills of current employees.
- Economic development interests in the area.
- Communities and civic groups within the service area.
- Area K-12 schools seeking college general education courses for advanced students, career and technical programs, and cultural services.

8. Array of Programs and Services

SAU-Tech meets the needs of these audiences by providing:

- Basic/workplace skills training.
- General education courses necessary to prepare students for transfer to four-year institutions.
- Career and technical education in computer systems and applications, engineering technologies, child care education and early childhood and secondary education, police and fire sciences, applied technologies, nursing and selected allied health fields, and business and office occupations.
- Business and industry training to meet the needs of current employers and economic development interests.
- Hosts and facilitates the Adult Basic Education (ABE) program.
- Access to graduate and undergraduate programs needed in the region by brokering the delivery of such programs from other colleges and universities.
- Shared use of facilities (libraries, auditoria, etc.) and other types of institutional assets not available elsewhere in the region.
- An opening for residents of the region to participate in the academic and cultural events sponsored by the college.

9. Special Features

- Arkansas Fire Academy.
- Arkansas Environmental Academy.
- Aviation Maintenance Technologies.

Southeast Arkansas College

7. Audiences

Southeast Arkansas College (SEARK) is responsible for meeting the needs of:

- The residents of Jefferson, Lincoln, Cleveland, Drew, Grant and Desha counties who are seeking:
 - Preparation for transfer to four-year institutions.
 - Career-technical education.
 - Upgrading of skills.
 - Completion of GED.
- Employers in the area seeking employees who have basic workplace and technical skills or employers seeking to upgrade skills of current employees.
- Economic development interests in the area.
- Communities and civic groups within the service area.
- Area K-12 schools seeking college general education courses for advanced students, career and technical programs, and cultural services.

8. Array of Programs and Services

SEARK meets the needs of these audiences by providing:

- Basic/workplace skills training.
- General education courses necessary to prepare students for transfer to four-year institutions.
- Vocational training in computer systems and applications, child care, legal assisting, criminal justice and fire sciences, applied technologies, nursing and selected allied health fields, and business and office occupations.
- Business and industry training to meet the needs of current employers and economic development interests.
- Hosts and facilitates the Adult Basic Education (ABE) program.
- Access to graduate and undergraduate programs needed in the region by brokering the delivery of such programs from other colleges and universities.
- Shared use of facilities (libraries, auditoria, etc.) and other types of institutional assets not available elsewhere in the region.
- An opening for residents of the region to participate in the academic and cultural events sponsored by the college.

9. Special Features:

- Emergency Administration and Management (EMAN) program.
- Contextualized Development Education for Practical Nursing program.
- Revamped Developmental Education to encourage student success.

University of Arkansas Community College at Batesville

7. Audiences

The University of Arkansas Community College at Batesville (UACCB) is responsible for meeting the needs of:

- The residents of Independence, Cleburne, Stone and Sharp counties who are seeking:
 - Preparation for transfer to four-year institutions.
 - Career-technical education.
 - Upgrading of skills.
 - Completion of GED.
- Employers in the area seeking employees who have basic workplace and technical skills or employers seeking to upgrade skills of current employees.
- Economic development interests in the area.
- Communities and civic groups within the service area.
- Area K-12 schools seeking college general education courses for advanced students, career and technical programs, and cultural services.

8. Array of Programs and Services

UACCB meets the needs of these audiences by providing:

- Basic/workplace skills training.
- General education courses necessary to prepare students for transfer to four-year institutions.
- Vocational training in early childhood education, criminal justice, selected applied technologies, nursing and selected allied health fields, and business and office occupations.
- Business and industry training to meet the needs of current employers and economic development interests.
- Hosts and facilitates the Adult Basic Education (ABE) program.
- Access to graduate and undergraduate programs needed in the region by brokering the delivery of such programs from other colleges and universities.
- Shared use of facilities (libraries, auditoria, etc.) and other types of institutional assets not available elsewhere in the region.
- An opening for residents of the region to participate in the academic and cultural events sponsored by the college.

9. *Special Features*

- Associate of Applied Science in Aviation Maintenance program.
- Member of the University of Arkansas Online Consortium offering complete Associate of Arts Degree on line.
- LPN to RN Online Nursing program.

University of Arkansas Community College at Hope

5. Audiences

The University of Arkansas Community College at Hope (UACCH) is responsible for serving the needs of:

- The residents of Hempstead, Miller, Nevada, Lafayette, Howard and Pike counties who are seeking:
 - Preparation for transfer to four-year institutions.
 - Career-technical education.
 - Upgrading of skills.
- Employers in the area seeking employees who have basic workplace and technical skills or employers seeking to upgrade skills of current employees.
- Economic development interests in the area.
- Communities and civic groups within the service area.
- Area K-12 schools seeking college general education courses for advanced students, career and technical programs, and cultural services.

6. Array of Programs and Services

UACCH meets the needs of these audiences by providing:

- Basic/workplace skills training.
- General education courses necessary to prepare students for transfer to four-year institutions.
- Career and technical education in funeral service and mortuary science, education, child care, criminal justice, applied technologies, practical nursing and selected allied health fields, and business and office occupations.
- Business and industry training to meet the needs of current employers and economic development interests.
- Access to graduate and undergraduate programs needed in the region by brokering the delivery of such programs from other colleges and universities.
- Shared use of facilities (libraries, auditoria, etc.) and other types of institutional assets not available elsewhere in the region.
- An opening for residents of the region to participate in the academic and cultural events sponsored by the college.

3. Special Features:

- Program in Funeral Service Education
- Member of the University of Arkansas Online Consortium offering complete Associate of Arts degree program online.
- Power Plant Technology program.

University of Arkansas Community College at Morrilton

7. Audiences

The University of Arkansas Community College at Morrilton (UACCM) is responsible for serving the needs of:

- The residents of Conway, Van Buren, Pope, Yell, Perry and Faulkner counties who are seeking:
 - Preparation for transfer to four-year institutions.
 - Career-technical education.
 - Upgrading of skills.
 - Completion of GED.
- Employers in the area seeking employees who have basic workplace and technical skills or employers seeking to upgrade skills of current employees.
- Economic development interests in the area.
- Communities and civic groups within the service area.
- Area K-12 schools seeking college general education courses for advanced students, career and technical programs, and cultural services.

8. Array of Programs and Services

UACCM meets the needs of these audiences by providing:

- Basic/workplace skills training.
- General education courses necessary to prepare students for transfer to four-year institutions.
- Career and technical training in education, engineering technologies, child development, applied technologies, nursing, and business.
- Business and industry training to meet the needs of current employers and economic development interests.
- Hosts and facilitates the Adult Basic Education (ABE) program.
- Access to graduate and undergraduate programs needed in the region by brokering the delivery of such programs from other colleges and universities.
- Shared use of facilities (libraries, auditoria, etc.) and other types of institutional assets not available elsewhere in the region.
- An opening for residents of the region to participate in the academic and cultural events sponsored by the college.

9. Special Features

- Programs designed for jobs related to production in the Fayetteville Shale.

PROCESS AND PROCEDURES FOR ROLE AND SCOPE CHANGES
Revised October 2008

ACA § 6-61-207 requires the Arkansas Higher Education Coordinating Board (AHECB) to establish appropriate institutional role and scope designations in consultation with college and university personnel, and to periodically review those designations. At its July 25, 2008 meeting, the Coordinating Board approved revisions of the role and scope designations of all the institutions (AHECB Policy 5.20). The law also gives the AHECB the authority to change role and scope designations at any time.

The purpose of this agenda item is to address role and scope change requests by individual institutions. Such requests are made in response to a need identified by the institution that cannot be appropriately addressed under the institution's existing role and scope designation.

The agenda item, which will revise AHECB Policy 5.20, outlines the process and procedures institutions must follow in order to request a change in the program types and/or program levels approved by the AHECB, and the process ADHE staff and the AHECB will follow during the review and consideration of that request.

ADHE Executive Staff recommend that the Arkansas Higher Education Coordinating Board approve the following resolution:

RESOLVED, That the Arkansas Higher Education Coordinating Board approves the Process and Procedures for Role and Scope Changes, which will revise AHECB Policy 5.20, Institutional Role and Scope Designations, outlined in this agenda item, effective immediately.

FURTHER RESOLVED, That the AHECB instructs the Director of the Arkansas Department of Higher Education to notify the presidents, chancellors, chief academic officers, and institutional board chairs of this action.

Citation: [6-61-207](#)

PROCESS AND PROCEDURES FOR ROLE AND SCOPE CHANGES
Revised October 2008

ACA §6-61-207 requires the Arkansas Higher Education Coordinating Board (AHECB) to establish appropriate institutional role and scope designations (AHECB Policy 5.20). This agenda item outlines the process and procedures for an institution to request a role and scope change, ADHE review of that requested change, and AHECB consideration of the request.

Institutional Request for Role and Scope Change

(Contact ADHE academic staff prior to completing a Role and Scope Change Request.)

Institutions requesting approval to offer higher degree levels or additional types of programs than currently designated by the AHECB must submit a Letter of Intent prior to the submission of a request for a role and scope change. **The role and scope change request should be submitted at the same time as the program proposal; however, the request for the role and scope change must be a separate document and not included in the program proposal.**

An institution requesting a role and scope change must first receive approval from its Board of Trustees. After the institution's Board of Trustees has approved the request for a role and scope change and the associated new program proposal, the institution will submit the following documents to ADHE:

1. Letter of Intent (Submit letter to the ADHE Director)
2. Role and Scope Change Proposal
3. New Program Proposal Forms

ADHE/AHECB Review of Role and Scope Change Request

1. ADHE staff will review all requests for role and scope change.

The services of a consultant(s) may be retained to assist ADHE staff with the review of requested role and scope changes. Institutions will be responsible for consultant expenses related to the review.

2. All presidents/chancellors of Arkansas's public institutions will be notified of the requested role and scope change request and allowed 30 days to offer comment on the request.

Comments will be limited to the proposed role and scope change and will not include issues/concerns associated with the proposed program leading to the requested change.

3. ADHE staff will meet with institutional representatives to discuss the proposed change.
4. After the role and scope review has been completed, ADHE staff will notify the institution of its recommendation to the AHECB.

5. ADHE staff will present a recommendation to the AHECB to approve/deny the role and scope change request based on a review of all materials submitted by the institution and consultants during the review process.
6. AHECB consideration and action:
 - a. After the role and scope review has been completed, ADHE staff will present the recommended role and scope statement to the AHECB for information only at its next regularly scheduled quarterly meeting.
 - b. AHECB members will vote on the recommended role and scope statement at the following regularly scheduled meeting.
 - c. If the role and scope change is approved, the proposed program that required the role and scope change will be reviewed and presented to the AHECB in keeping with new program proposal guidelines. Institutions will be responsible for consultant expenses related to the review.

LETTER OF INTENT
Role and Scope Change
(Higher degree level or additional types of programs*)

1. Institution submitting request:
 2. Contact person/title:
 3. Telephone number/e-mail address:
 4. Degree level or types of programs designated in AHECB approved role and scope in the “Array of Programs and Services” section.
 5. Brief description of proposed role and scope change (higher degree level or additional program type):
 6. Proposed name of degree and effective date:
 7. President/Chancellor signature:
 8. President/Chancellor approval date:
 9. Board of Trustees approval date:
(Board of Trustees approval of the role and scope change request and the associated new program proposal is required prior to the submission of the Letter of Intent.)
- * Additional program type would include a program in which the discipline is not included in the institution’s role and scope.

Contact ADHE academic staff prior to submitting the Letter of Intent for a Role and Scope Change to the ADHE Director.

PROPOSAL
ROLE AND SCOPE CHANGE
(Higher degree levels or additional types of programs*)

(Contact ADHE academic staff prior to completing the Role and Scope Change Proposal.)

1. Proposed role and scope change.
2. Rationale for role and scope change:
 - a. Local, state, and regional need and demand.
 - b. Public institution(s) within 50 miles offering the programs at the proposed degree level.
3. Initial program(s) to be offered under proposed role and scope designation.
4. Institutional readiness:
 - a. Documentation that external agencies (HLC-NCA, ADE, ASBN, program accreditation agencies, other approval agencies) have been notified of the proposed role and scope change.
 - b. Identification of the actions the institution must take to continue approval by external agencies if the role and scope change is approved.
5. Viability of existing programs.
6. Existing programs that support the requested role and scope change.
7. Indicate institutional plans (over the next 5 years) to add programs that would fall under the proposed role and scope designation.
8. Costs associated with the role and scope change.
9. Availability of resources to support the change (financial, physical, human, library, technology, etc.).
10. Institutional plans to implement and sustain the proposed role and scope change.
11. Expected outcomes and institutional strategies to evaluate the outcomes of the proposed role and scope change.
12. Projected impact of the proposed role and scope on the institution's current mission, types of students served, enrollment levels, and breadth of educational offerings.
13. Approval by the institution's Board of Trustees to request change.
14. Date(s) and types of role and scope changes since July 2008.
15. Additional information requested by ADHE.

* Additional program type would include a program in which the discipline is not included in the institution's role and scope.

PROPOSAL (New Degree Program)

1. **PROPOSED PROGRAM TITLE**
2. **CIP CODE REQUESTED**
3. **CONTACT PERSON**

Name
Name of Institution
Address
E-mail Address
Phone Number

4. **PROPOSED STARTING DATE**
5. **PROGRAM SUMMARY**

Provide a general description of the proposed program. Include overview of any curriculum additions or modifications; program costs; faculty resources, library resources, facilities and equipment; purpose of the program; and any information that will serve as introduction to the program.

List existing degree programs that support the proposed program.

6. **NEED FOR THE PROGRAM**

Provide survey data (number not percentage) on student interest (number of students planning to enroll), job availability, corporate demands and employment/wage projections. Focus mostly on state needs and less on regional and national needs, unless applicable to the program.

Survey data can be obtained by telephone, letters of interest, student inquiry, etc. Focus mostly on state needs for undergraduate programs; and state, regional and national needs for graduate programs.

Provide names/types of organizations/businesses surveyed.

Letters of support should address the following when relevant: the number of current/anticipated job vacancies, whether the degree is desired or required for advancement, the increase in wages projected based on additional education, etc.

Indicate if employer tuition assistance is provided or other enrollment incentives.

7. CURRICULUM OUTLINE

Provide curriculum outline by semester

- Give total number of semester credit hours required for the program
- Identify new courses (provide course descriptions)
- Identify required general education courses, core courses and major courses
- Identify courses currently offered via distance technology
- State program admission requirements
- Describe specified learning outcomes and course examination procedures.
- Include a copy of the course evaluation to be completed by the student.

8. FACULTY

List the names and credentials of all faculty teaching courses in the proposed program.
(For associate and above: A minimum of one full-time faculty member with appropriate credentials is required.)

Total number of faculty required (number of existing faculty, number of new faculty). For new faculty provide the expected credentials/experience and expected hire date.

For proposed graduate programs provide the curriculum vita for faculty teaching in the program, and the expected credentials for new faculty and expected hire date.

9. DESCRIPTION OF RESOURCES

Current library resources in the field

Current instructional facilities including classrooms, instructional equipment and technology, laboratories (if applicable)

New resources required, including costs and acquisition plan

10. NEW PROGRAM COSTS – Expenditures for the first 3 years of program operation

New administrative costs

Number of new faculty (full-time and part-time) and costs

New library resources and costs

New/renovated facilities and costs

New instructional equipment and costs

Distance delivery costs (if applicable)

Other new costs (graduate assistants, secretarial support, supplies, faculty development, faculty/students research, etc.)

No new costs (Explain)

11. SOURCES OF FUNDING – Income for the first 3 years of program operation

Reallocation from which department, program, etc.
Tuition and fees (projected number of students multiplied by tuition/fees)
State revenues (projected number of students multiplied by state general revenues)

Other (grants, employers, special tuition rates, mandatory technology fees, program specific fees, etc.)

12. ORGANIZATIONAL CHART REFLECTING NEW PROGRAM

Proposed program will be housed in (department/college)

13. SPECIALIZED REQUIREMENTS

Specialized accreditation requirements for program (name of accrediting agency)
Licensure/certification requirements for student entry into the field
Provide documentation of Agency/Board approvals (education, nursing--initial approval required, health-professions, counseling, etc.)

14. BOARD OF TRUSTEES APPROVAL

Provide the date that the Board approved the proposed program.

15. SIMILAR PROGRAMS

List institutions offering program
Proposed undergraduate program – list institutions in Arkansas
Proposed master’s program – list institutions in Arkansas and region
Proposed doctoral program – list institutions in Arkansas, region, and nation

Why is proposed program needed if offered at other institutions in Arkansas or region?
Provide a copy of the written notification to other institutions in the area of the proposed program and their responses.

16. DESEGREGATION

State the total number of students, number of African American students, and number of other minority students enrolled in related degree programs (if applicable)

17. INSTITUTIONAL AGREEMENTS/MEMORANDUM OF UNDERSTANDING (MOU)

If the courses or academic support services will be provided by other institutions or organizations, include a copy of the signed MOU that outlines the responsibilities of each party and the effective dates of the agreement.

18. PROVIDE ADDITIONAL INFORMATION REQUESTED BY ADHE STAFF

19. INSTRUCTION BY DISTANCE TECHNOLOGY

Definition - Distance technology (e-learning) – Technology is the primary mode of instruction for the course (50 percent of the course content is delivered electronically).

If the proposed program will be offered by distance technology, provide the following information:

Institutional Readiness and Commitment

1. List courses/degrees currently offered by distance delivery and the total number of student enrollments in distance courses.
2. List courses in the proposed degree program currently offered by distance delivery.
3. Summarize institutional policies on the establishment, organization, funding and management of distance courses/degrees.
4. Describe the internal organizational structure that coordinates (development, technical support, oversight) distance courses/degrees.
5. Summarize the policies and procedures to keep the technology infrastructure current.
6. Summarize the procedures that assure the security of personal information.
7. Provide a list of services that will be outsourced to other organizations (course materials, course management and delivery, technical services, online payment, student privacy, etc.)

Curriculum and Instruction

1. Describe the instructor-to-student and student-student interaction for the distance course/degree program (prerequisite courses, lab requirements, examination procedures-online/proctored, instructor response to student assignments).
2. Course Delivery Mode (web, computer assisted, correspondence).
3. Modes of Interaction (electronic bulletin boards, e-mail, telephone, fax, chat, ---).
4. Instrument used to measure the success of the program's interactive component.
5. Provide the plan for student access to all courses necessary to complete the degree.
6. Provide curriculum outline by semester (identify courses offered via distance technology and provide course syllabi).
7. Give total number of semester credit hours required for the program.
8. Identify new courses (provide course descriptions)
9. Identify required general education courses, core courses and major courses
10. State program admission requirements

Faculty and Instructional Support

1. Describe the orientation and training required of faculty and support staff working directly with students enrolled in distance technology courses/programs.
2. Explain the faculty's function in providing oversight of the distance delivered course/degree program (course evaluation and modification).
3. List the names and credentials of all faculty teaching major and core courses in the proposed program.
4. Explain the role of the instructional designer for the distance technology course/degree program.
5. Explain the role of the technologist(s) for the distance technology course/degree program (help provided to faculty and students).
6. Describe the selection, use of, and experience in a distance technology learning environment for student mentors, tutors, and instructional aids.

7. Summarize the plan for faculty workload, compensation and ownership of intellectual property.

Student Support

1. Describe how institutional admission requirements are verified.
2. How are students informed of course/degree requirements including access to technology, technical competencies, program cost, curriculum design, timeframe for course offerings, library and learning services, orientation on the nature of and personal discipline required for learning in an anytime/anywhere environment?
3. Describe the online student services provided (orientation, advising, registration, financial aid, course withdrawal, e-mail account, access to library resources, helpdesk, etc.).
4. Provide a link to the online student orientation handbook or an outline of the topics covered.
5. Describe steps taken to retain students (intervention regarding student progress, tutoring, career counseling and placement, academic advising).

Evaluation and Assessment

1. Describe how the institution reviews the effectiveness of its distance technology courses/degrees to assure alignment with educational objectives and institutional priorities. List the measures used to determine overall effectiveness.
2. Describe how assessment activities related to distance delivery are integrated into the institutional assessment process. What are the administrative and procedural links between the evaluation of distance technology courses/degrees and all academic programs?
3. Describe the process used to evaluate student achievement of intended outcomes. If proctoring is used, what are the procedures for selecting proctors, establishing student identity, assuring security of test instruments, administering the examination, and assuring secure and prompt evaluation.
4. Provide a link to the student satisfaction survey form for evaluation of distance technology courses/degree programs.

Financial Information

Demonstrate that the program budget includes sufficient resources for maintaining a high level of support staffing, the appropriate number of faculty, current operating learning systems, and continuous updating of appropriate technology used in the distance technology learning environment (tuition, technology fee, etc.).

Specialized Requirements

Provide the HLC-NCA Focused Visit date for distance programs (if offering first distance technology degree program--100% asynchronously).

New Program Proposal - Employer (Needs) Survey Form

Employer:
Contact Person:
E-mail/Telephone:
Date:

Proposed Program:
Institution:

1. Do you have positions for graduates of the proposed program? What are the position titles? When will you have the position openings? How many positions will there be?
2. Please estimate the number of position openings for the next 3 years.
3. What skills will program graduates need for employment at your company?

<input type="checkbox"/> Analytical reasoning	<input type="checkbox"/> Written and oral communications
<input type="checkbox"/> Supervision	<input type="checkbox"/> Planning and organization
<input type="checkbox"/> Budgeting	<input type="checkbox"/> Marketing
<input type="checkbox"/> Adaptability to change	<input type="checkbox"/> Leadership, Initiative
<input type="checkbox"/> Follow-up and follow-through	<input type="checkbox"/> Computer applications
<input type="checkbox"/> Computer programming	<input type="checkbox"/> Research
<input type="checkbox"/> Conflict resolution	<input type="checkbox"/> Data analysis
<input type="checkbox"/> Interpersonal relations	<input type="checkbox"/> Teaching
<input type="checkbox"/> Foreign Language, please specify _____	
<input type="checkbox"/> Other skills, please identify _____	
4. Is a degree or certificate currently required for the positions? Is any other certification/licensure required for the positions?
5. If the program is approved, would you require new employees to have the degree/certificate?
6. Would you give hiring preference to applicants with the proposed degree/certificate?
7. What is the projected wage at your company for persons holding positions with this educational credential?
8. What support will you provide for the program? (Give examples—tuition reimbursement, internship placements, employees serving as part-time faculty, equipment purchase, etc.)
9. Would you serve on a program advisory committee?
10. Do you have current employees who need to enroll in the proposed program? If so, how can courses be scheduled to make them more accessible to these employees?
11. Are there other skills a potential employee needs that are not addressed in the program?
12. In your opinion, would the proposed program add value to the workforce training of the local area? Why?

New Program Proposal – Budget

Guidelines for Preparation of New Program Budgets

In order for ADHE staff to assess the adequacy of resources to support the proposed program, a detailed list of resource requirements and planned funding sources must be presented. Institutions must provide evidence of the source of adequate funding.

Funding for new programs will either be supplied from new or existing sources. If funds are to be redistributed to the proposed program, the source of funding must be identified and an analysis of the impact that the redistribution of funds will have on existing programs or organizational units must be stated. If the redistribution is from the deletion of an existing program, documentation of sufficient savings to the state to offset new program costs must be provided.

New funding from student tuition, fees, and state general revenue generated by new student semester credit hours (SSCH), grants/contracts or other sources must be identified. Calculations and/or formulas that were used to project new revenue should be included in the budget section (e.g., number of new students projected in proposed program multiplied by tuition and fees; state general revenue dollars per FTE multiplied by projected number of FTEs to enroll in the new program).

New Program Proposal - Memorandum of Understanding (MOU)

Institutional/Agency Partners

Contact persons
Mailing address, telephone, e-mail

Objectives of Partnership

Professional development/career advancement
Degree completion (1+1 and 2+2 programs)
Internships
Contract courses
Concurrent/dual enrollment (high school students)
Other

Terms of Agreement

Courses/degrees offered
Recruitment strategies
Admission requirements
Number of courses/credit hours

Resources/Support Services Provided by Each Institution/Agency

Faculty/staff (number full-time, part-time, FTE)
Facilities: classroom/laboratories; administrative/faculty offices
Online admissions/registration
Distance technology instruction/online academic support
Library

Costs

Total
Per institution/agency
Tuition and fees
Grants
Fund collection/distribution

MOU Review/Renewal

Review period
Modifications to agreement/notice required
Review committee and approval

Effective Date of Agreement

Termination Date of Agreement

Signatures of Institutional/Agency Presidents or Chancellors

Resource Requirements

1st Year 2nd Year 3rd Year
(in dollars) (in dollars) (in dollars)

Staffing (Number)
 Administrative/Professional
 Full-time Faculty
 Part-time Faculty
 Graduate Assistants
 Clerical

Equipment & Instructional Materials
Library

Other Support Services
 Supplies/Printing
 Travel
 Distance Technology
 Other Services (specify)

TOTAL

Planned Funding Sources

1st Year 2nd Year 3rd Year
(in dollars) (in dollars) (in dollars)

New Student Tuition and Fees

New State General Revenue

Redistribution of State General Revenue

External Grants/Contracts

Other Funding Sources (specify)

TOTAL

AHECB POLICY 5.20c: ROLE AND SCOPE CHANGE PROCESS

Arkansas Code Annotated § 6-61-207 requires the Arkansas Higher Education Coordinating Board (AHECB) to establish appropriate institutional role and scope designations in consultation with college and university personnel, and to periodically review those designations. At its July 2008 meeting, the Coordinating Board approved revisions of the role and scope designations of all the institutions (AHECB Policy 5.20). The law also gives the AHECB the authority to change role and scope designations at any time.

The proposed policy amendment outlines the process institutions must follow in order to request a change in the degree levels approved by the AHECB, and the process ADHE staff and the AHECB will follow during the review and consideration of that request.

ADHE Executive Staff Recommendation

RESOLVED, That the Arkansas Higher Education Coordinating Board approves the Role and Scope Change Process, as amended in this agenda item, effective immediately.

FURTHER RESOLVED, That the Coordinating Board instructs the Director of the Arkansas Department of Higher Education to notify the presidents, chancellors, academic affairs officers, and institutional board chairs of this action.

Citation: [6-61-207](#)

ROLE AND SCOPE CHANGE PROCESS

Institutional Request for Role and Scope Change

Institutions requesting approval to offer a degree program at a higher degree level than currently designated by the Arkansas Higher Education Coordinating Board must submit a Letter of Intent, Role and Scope Change Request, and the associated New Degree Program Proposal.

An institution requesting a role and scope change must first receive approval from its Board of Trustees. After the institution's Board of Trustees has approved the request for a role and scope change and the associated new program proposal, the institution will submit to ADHE the Role and Scope proposal that includes the following documents:

4. Letter of Intent
5. Role and Scope Change Request and HLC Substantive Change Application
6. New Degree Program Proposal

ADHE/AHECB Review of Role and Scope Change Request

7. ADHE staff will review all institutional requests for a role and scope change.

The professional services of external (out-of-state, faculty/administrator) consultant(s) may be retained to assist ADHE staff with the review of requested role and scope change. Institutions will reimburse ADHE for all consultant expenses related to the Role and Scope Review.

8. All presidents/chancellors and academic affairs officers of Arkansas's public colleges/universities will be notified of the role and scope change request and allowed 30 days to offer comment on the request and the associated new degree program.
9. ADHE staff and external consultants will review the Role and Scope Proposal before meeting with institutional representatives to discuss the proposed role and scope change and associated new program.

ADHE may bring 3-4 external consultants to the Arkansas college/university campus to engage with senior administrators, program faculty, prospective students, potential employers, and community leaders. The external reviewers will submit a written report to ADHE following the on-campus visit. The consultants' report will address institutional readiness to offer programs at a higher degree level; and the need, demand, and resources available for the associated new degree program.

NOTE: The institution can submit names of external consultants for ADHE consideration; however, ADHE will select the external consultant panel in consultation with the institution. The consultants cannot have a relationship with the employees and students at the institution under review or other Arkansas colleges and universities, other than professional acquaintance.

10. After the role and scope review is completed, ADHE staff will notify the institution of its recommendation to the AHECB.

11. ADHE staff will present a recommendation to the AHECB to approve or deny the role and scope change request and new degree program based on a review of all materials submitted by the institution and consultants during the review process.

12. AHECB consideration and action:

- a. After the role and scope review is completed, the ADHE staff will present the recommended role and scope statement and a recommendation on the new degree program to the AHECB **for information only** at its next regularly scheduled quarterly meeting.
- b. AHECB members will vote on the recommended role and scope statement and new degree program recommendation at the following regularly scheduled meeting.

Revised: October 14, 2008

Amended: April 25, 2014

LETTER OF INTENT
Role and Scope Change
(Higher Degree Level)

10. Institution submitting request:

11. Contact person/title:

12. Telephone number/e-mail address:

13. Degree Level requested:

14. Brief description of proposed role and scope change for a higher degree level:

15. Proposed name of new degree and program implementation date:

16. Academic Affairs Officer signature/date:

17. President/Chancellor signature/date:

18. Board of Trustees approval date:

(**Note:** Board of Trustees approval of the role and scope change request and the associated new program proposal is required prior to the submission of the Letter of Intent to ADHE.)

PROPOSAL
ROLE AND SCOPE CHANGE
(Higher Degree Level)

16. Complete and submit (to ADHE only) the Higher Learning Commission (HLC) Substantive Change Application for New Programs.

The following information also must be provided if not included in the HLC application:

17. Proposed role and scope change (indicate higher degree level)
18. Rationale for role and scope change:
 - a. Local, state, and regional need and demand.
 - b. Public institution(s) within 50 miles offering the programs at the proposed degree level.
19. Initial degree program(s) to be offered under proposed role and scope designation.
20. Institutional readiness:
 - a. Written (e-mail) documentation that the institution has informed external agencies (HLC-NCA, ADE, ASBN, program accreditation agencies, other approval agencies) of the role and scope change request; provide a copy of the responses from the external agencies.
 - b. Indicate actions the institution must take to continue approval by external agencies if the role and scope change is approved by the AHECB.
21. Viability of existing programs (list degrees not meeting AHECB program viability standards).
22. List existing degree programs that support the requested role and scope change and proposed higher-level degree.
23. Indicate institutional plans (over the next 5 years) to add degree programs that would fall under the proposed new role and scope designation.
24. Costs associated with the role and scope change.
25. Availability of institutional resources to support the change (financial, physical, human, library, technology, etc.).
26. Institutional plans to implement and sustain the proposed role and scope change.
27. Projected impact of the proposed role and scope on the institution's current mission, types of students served, enrollment levels, and breadth of educational offerings.
28. Additional information if requested by ADHE or the external consultants.

PROPOSAL (Initial Degree Program at Higher-Level)

1. PROPOSED PROGRAM TITLE

2. CIP CODE REQUESTED

3. PROGRAM CONTACT PERSON

Name
Name of Institution
Address
E-mail Address
Phone Number

4. PROPOSED PROGRAM START DATE

5. PROGRAM SUMMARY

Provide a general description of the proposed degree program. Include overview of all curriculum additions or modifications; program costs; faculty resources, library resources, facilities and equipment; purpose of the program; and any information that will serve as introduction to the program.

List existing degree programs that support the proposed program.

6. NEED FOR THE PROGRAM

Provide survey data (number not percentage) on student interest (number of students planning to enroll), job availability, corporate demands and employment/wage projections. Focus mostly on state needs and less on regional and national needs, unless applicable to the program.

Survey data can be obtained by telephone, letters of interest, student inquiry, ADHE employer survey form, etc. Focus mostly on state needs for undergraduate programs; and state, regional and national needs for graduate degree programs.

Provide names/types of organizations/businesses surveyed.

Letters of support must address the following: the number of current/anticipated job vacancies for the identified employer/company/field of study; whether the degree is desired or required for advancement with the identified employer/ company/field of study; the increase in wages projected based on additional education, etc.

Indicate if employer tuition assistance or other enrollment incentives will be provided.

13. **CURRICULUM OUTLINE**

Provide curriculum outline by semester

- Give total number of semester credit hours required for the program
- Identify new courses (provide course descriptions)
- Identify required general education courses, core courses and major courses
- Identify courses that will be offered via distance technology, indicate course delivery mode, and describe modes of interaction
- State program admission requirements
- Describe specified learning outcomes and course examination procedures.
- Include a copy of the course evaluation to be completed by the student.

8. **FACULTY**

List the names and academic credentials of all faculty teaching courses in the proposed program. (**Note:** A minimum of one full-time faculty member with appropriate academic credentials is required for each degree program.)

Total number of faculty required (number of existing faculty, number of new faculty). For new faculty provide the expected credentials/experience and expected hire date.

For proposed graduate programs provide the curriculum vita for faculty teaching in the program, and the expected credentials for new faculty and expected hire date.

9. **DESCRIPTION OF RESOURCES**

Current library resources in the field

Current instructional facilities including classrooms, instructional equipment and technology, laboratories (if applicable)

New resources required, including costs and acquisition plan

10. **NEW PROGRAM COSTS – Expenditures for the first 3 years of program operation**

New administrative costs

Number of new faculty (full-time and part-time) and costs

New library resources and costs

New/renovated facilities and costs

New instructional equipment and costs

Distance delivery costs (if applicable)

Other new costs (graduate assistants, secretarial support, supplies, faculty development, faculty/students research, etc.)

No new costs (Explain)

SOURCES OF FUNDING – Income for the first 3 years of program operation

Reallocation from which department, program, etc.; dollar amount
Tuition and fees (projected number of students multiplied by tuition/fees; dollar amount)
State revenues (projected number of students multiplied by state general revenues; dollar amount)

Other (grants, employers, special tuition rates, mandatory technology fees, program specific fees, etc.; Specify name of source, and dollar amount per type)

12. ORGANIZATIONAL CHART REFLECTING NEW PROGRAM

Proposed program will be housed in (department/college)

13. SPECIALIZED REQUIREMENTS

Specialized accreditation requirements for program (name of accrediting agency)

Licensure/certification requirements for student entry into the field

Provide documentation of Agency/Board review/approval (education, nursing, health-professions, counseling, etc.)

14. SIMILAR PROGRAMS

List institutions offering degree program

Proposed undergraduate degree – list institutions in Arkansas

Proposed master’s degree – list institutions in Arkansas and at least 2 institutions in the region

Proposed doctoral degree – list institutions in Arkansas, at least 2 institutions in the region, and at least 2 institutions in the nation

Why is proposed program needed if offered at other institutions in Arkansas or region?

Provide a copy of the e-mail notification to other Arkansas colleges and universities of the proposed program and a summary of their responses.

15. STUDENT ENROLLMENT

Indicate the number of students expected to enroll annually over the first three years

State the total number of students, number of African American students, and number of other minority students enrolled in related degree programs at the institution; provide the degree titles (if applicable)

16. INSTITUTIONAL AGREEMENTS/MEMORANDUM OF UNDERSTANDING (MOU)

If the courses or academic support services will be provided by other institutions or organizations, include a copy of the signed MOU draft that outlines the responsibilities of each party and the effective dates of the agreement. The MOU cannot be finalized until AHECB approval of the proposed program.

17. PROVIDE ADDITIONAL INFORMATION IF REQUESTED BY ADHE STAFF

18. INSTRUCTION BY DISTANCE TECHNOLOGY

Distance technology (e-learning) – Technology is the primary mode of instruction for the program courses, and 50 percent of the degree is delivered electronically with the instructor and student in separate physical locations.

If the proposed program is the institution's initial degree for distance technology, complete and submit (to ADHE only) the HLC Substantive Change Application for Distance Delivery.

GUIDELINES FOR THE NOTIFICATION OF SEX OFFENDERS

Act 147 of 2007 amended Arkansas Code Annotated §12-12-913 that requires the Arkansas Higher Education Coordinating Board (AHECB) to promulgate guidelines for the disclosure to students of information regarding a sex offender when such information is released to a local institution of higher education by a local law enforcement agency having jurisdiction. Act 147 of 2007 deleted language in the statute that included the parents of college students among those that should receive the notification. These guidelines will be used by institutions of higher education in the development of a written policy to be adopted by the institution's board of trustees.

ADHE staff has worked with institutions of higher education in the development of these guidelines. All institutions have a set of procedures in place to provide the required notification. These guidelines will provide direction in the development of the written policy.

The following resolution is offered for the Coordinating Board's consideration:

RESOLVED, That the Arkansas Higher Education Coordinating Board adopt the following guidelines presented in this agenda item for the disclosure to students of information regarding a sex offender when such information is released to a local institution of higher education by a local law enforcement agency having jurisdiction.

FURTHER RESOLVED, That the Coordinating Board instructs the Director of the Arkansas Department of Higher Education to inform the presidents and chancellors of Arkansas college and universities of the approval of these guidelines.

Citation: [12-12-913](#)

GUIDELINES FOR THE NOTIFICATION OF SEX OFFENDERS

Arkansas Code Annotated §12-12-913 requires the Arkansas Higher Education Coordinating Board to promulgate guidelines for the disclosure to students of information regarding registered sex offenders who are employed by or attend an institution of higher education. These guidelines are to be used by institutions of higher education in the development of a written policy approved by the institution's board of trustees.

Guidelines

Each institution of higher education shall develop a policy regarding sex offender notification. The policy should include the following:

- ❖ Authority: Citation to federal and state statutes relevant to an institution's responsibilities concerning registered sex offenders.
 - A.C.A. §12-12-903 (6) defines the "local law enforcement agency having jurisdiction" as follows:
 - (A) Chief law enforcement officer of the municipality in which an offender:
 - (i) Resides or expects to reside;
 - (ii) Is employed; or
 - (iii) Is attending an institution of training or education; or
 - (B) County sheriff, if:
 - (i) The municipality does not have a chief law enforcement officer; or
 - (ii) An offender resides or expects to reside, is employed, or is attending an institution of training or education in an unincorporated area of the county.
 - A.C.A. §25-17-304 (a)(b) provides that the president or chancellor of an institution of higher education is authorized and empowered to employ certified law enforcement officers to exercise the powers provided by law for city and county sheriffs for the protection of the institution.
 - A.C.A. §12-12-913 (b) states that "in accordance with guidelines promulgated by the Sex Offenders Assessment Committee, local law enforcement agencies having jurisdiction shall disclose relevant and necessary information regarding sex offenders to the public when the disclosure of such information is necessary for public protection."

- A.C.A. §12-12-913 (e)(1) states that “a local law enforcement agency having jurisdiction that decides to disclose information under this section shall make a good faith effort to conceal the identity of the victim or victims of the sex offender's offense.”

The role of an institution of higher education is to assist the local law enforcement agency having jurisdiction in the distribution of information concerning a sex offender. While it is clear that the local law enforcement agency having jurisdiction, meaning the law enforcement agency of the municipality or county within which the college or university is located, has the responsibility and liability to notify the institution concerning a registered sex offender, the plan for disclosure on the campus should be a joint effort between the law enforcement agency and the institution of higher education. The law enforcement agency will determine which sex offenders to notify the IHE about and what information will be disseminated; it should be the campus personnel who determine how the information should be disseminated.

- A. C. A. §12-12-913 (g) (2) states that “the Arkansas Higher Education Coordinating Board shall promulgate guidelines for the disclosure to students of information regarding a sex offender when such information is released to an institution of higher education by a local law enforcement agency having jurisdiction.

A.C.A. §12-12-913(g)(4) states that “in accordance with guidelines promulgated by the Arkansas Higher Education Coordinating Board, the board of directors of an institution of higher education shall adopt a written policy regarding the distribution to students of information regarding a sex offender.”

- The Campus Sex Crimes Prevention Act (section 1601) and (42 U.S.C., 14071j and 20 U.S.C., 1092 (f) (1) (I)) is a federal law enacted on October 29, 2000 which provides for the tracking of convicted sex offenders enrolled at or employed by institutions of higher education. This federal law requires sex offenders who are required by law to register in a state, to also provide notice of each institution of higher education in that state where the person is employed, carries on a vocation, or is a student. This law further requires that institutions of higher education issue a statement advising the campus community of the availability of this information.

❖ Procedures: The procedures should include:

- The name of the person(s) on campus who will be the contact person(s) with the local enforcement agency and will receive the information and plan of disclosure of sex offenders.

- A written notification plan for each offender will be determined by the local law enforcement agency with jurisdiction and will take into consideration the guidelines established by the Arkansas Sex Offenders Assessment Committee, including the individuals to be notified, those participating in the preparation of the plan, and the date the plan was made.
- A Sex Offender Notification Letter and Notification Sheet for each offender.
- A process for concerns with the plan to be addressed between the law enforcement agency and members of the campus administration. Final authority for the plan resides with the law enforcement agency.
- A process for the notifications required by state and federal law to be made.

AHECB POLICY 5.22
ARKANSAS TRANSFER SYSTEM

ACT 182 of 2009 required the Arkansas Higher Education Coordinating Board, in collaboration with Arkansas public institutions of higher education, to create a system for fully transferable credit courses for students with earned Associate of Arts (AA), Associate of Science (AS), and Associate of Arts in Teaching (AAT) degrees. Criteria for a statewide transfer agreement was developed in January 2010, and revised in December 2011 in accordance with Act 747 of 2011.

On January 29, 2010, the Board adopted the following resolution (Item No. 10):

RESOLVED, That the Arkansas Higher Education Coordinating Board approves the guidelines for the Arkansas Transfer System presented with this agenda item.

Citation: [6-61-225](#)

Arkansas Transfer System

The goal of Act 747 of 2011 was to create a transparent, easy-to-understand statewide transfer system that eliminates obstacles to the transfer of credit among Arkansas public higher education institutions. Furthermore, the legislation calls for a seamless transfer of academic credits from a **completed designated transfer degree program** to a baccalaureate degree program without the loss of earned credits and without the receiving institution requiring additional lower-level general education credits. Finally, it seeks to eliminate unnecessary, duplicative, and/or hard-to-determine degree requirements when a transfer student has completed all courses required for the state minimum general education core and a transfer degree approved by the AHECB.

Approved Full-Transfer Degrees

In order to ensure that associate-level transfer degrees meet AHECB curricular and total credit hour criteria, ADHE staff has reviewed all Associate of Arts, Associate of Science, and Associate of Arts in Teaching degrees. *The Associate of Science in Business has been approved by the AHECB for full transfer.* Degree programs that meet AHECB criteria for full transfer will be included on an approved transfer program list at www.adhe.edu

Associate (transfer) degrees earned prior to January 2010 do not come under the direction of Act 182 of 2009; therefore, institutional discretion should be used when considering the comprehensive transfer of these degrees. *Act 747 of 2011* and associated AHECB policy will guide institutional transfer acceptance decisions.

Guidelines for associate degrees that are fully transferable.

Associate of Arts. The Associate of Arts degree *has been designated as the fully transferable degree under Act 747 of 2011* that must include the 35-hour state minimum general education core that requires courses in English/writing, the humanities and fine arts, history and the social sciences, mathematics, and the natural sciences. **The required hours for the degree is 60 semester credit hours, and the degree title does not specify a field of study.**

Remedial/developmental education courses must be used for placement purposes only and cannot be used to fulfill degree requirements. (*Note: The requirements for the 60-hour state minimum core curriculum and Associate of Arts degree (under Act 747 of 2011) are identical and the template for the core and degree can be found in AHECB Policy 5.11, Appendix C.*)

Associate of Science. The Associate of Science degree must include the 35-hour state minimum general education core that requires courses in English/writing, the humanities and fine arts, history and the social sciences, mathematics, and the natural sciences. **The required hours for the degree is 60 semester credit hours. The degree title does must specify a field of study, and must be designed to be fully transferable to meet the bachelor's degree program completion requirements at one or more Arkansas college/university.**

Remedial/developmental education courses must be used for placement purposes only and cannot be used to fulfill degree requirements.

Associate of Arts in Teaching (AAT). The Associate of Arts in Teaching degree must include the state minimum general education core (35 semester credit hours) that requires courses in English/writing, the humanities and fine arts, history and the social sciences, mathematics, and the natural sciences. The approved AHECB curriculum required for the AAT degree *must be* designed to align with *current* state licensure requirements in *early childhood (K-6) and* middle-school. The degree consists of 60-64 semester credit hours. In order to receive the AAT, students must have the *required* final grade point average and *required minimum score on* the Praxis exam. (*Note: Effective Fall 2015, the Arkansas State Board of Education has established new licensure requirements for K-6 and middle school programs. Therefore, the AAT has been suspended by AHECB and cannot be activated by ADHE until common courses offered in the related bachelor's degrees are identified.*)

**Associate of
Science in Business.** The curriculum for the Associate of Science in Business can be found in AHECB Policy 5.11, Appendix C.

Guidelines for associate degrees that are transferable based upon field of study (major) at participating two- and four-year institutions.

- Designated degree titles in specific fields of study, e.g. Associate of Science in agriculture, chemistry, business, etc., must be approved by AHECB *or the ADHE Director.*
- Signed agreements between institutions in which the associate and baccalaureate degrees are articulated must be on file with ADHE.
- Published statements designating institutions where the degree will fully transfer in that field of study must be made available to *the students and* the general public.

Academic Program Review

All Associate of Arts, Associate of Science, and Associate of Arts in Teaching degree programs will be reviewed by the institutions on a 7-year cycle to ensure that they continue to meet AHECB criteria.

Degree Transfer Guidelines

1. Additional lower-division general education courses cannot be required for a transfer student with an earned Associate of Arts (AA), Associate of Science (AS), or Associate of Arts in Teaching degree unless the course(s) meets one of the following exceptions:

- The course(s) is required of the student's *program* major.
- The course(s) is a pre-requisite for a course that is required of the student's program major.
- The course is required by an accrediting and/or licensure body.
- The student earned a grade of "D" or "F" in the transfer course.

2. Additional lower-division general education courses cannot be required for a transfer student with an earned AA, AS, or AAT based solely on the type of baccalaureate (Bachelor of Arts or Bachelor of Science) degree the transfer student seeks.

Arkansas Course Transfer System

Guidelines for Course Approval

Institutions offering courses listed in ACTS must submit the course syllabi to ADHE for review/approval prior to the initial course offering and before the courses can be listed in ACTS. Courses listed in ACTS must include the expected student learning outcomes, and must reference the ACTS course number in all published materials as part of the Arkansas Common Course Numbering System. Should a course fail to meet or maintain ACTS learning outcomes, the student enrollments reported for this course through the Student Information System will not be counted for state funding purposes.

Act 672 of 2005 and Act 182 of 2009 required all Arkansas public colleges and universities to participate in the internet-based student manual for transfer purposes, commonly known as ACTS. (Arkansas private/independent colleges and universities may elect to participate in ACTS.) Courses at Arkansas Baptist College and Ecclesia College have been reviewed by ADHE for inclusion in ACTS and the courses listed in ACTS for these institutions are guaranteed for transfer to Arkansas colleges/universities offering a comparable course that is listed in ACTS.

In 2005, 88 general education core courses commonly offered at Arkansas colleges and universities were identified by ADHE and listed in the Arkansas Course Transfer System. The Quantitative Literacy/Mathematical Reasoning course was added to ACTS in 2013. These 89 lower-division courses are the only courses listed in ACTS and are guaranteed for transfer.

The syllabus for each course that institutions are required to list in ACTS must be reviewed and approved by ADHE.

ADHE will conduct a periodic review of the course syllabi for all of the courses listed in the Arkansas Course Transfer System. Institutional course syllabi must include the expected student learning outcomes for the course to remain in ACTS and for the institution to continue reporting the course through the Student Information System for state funding purposes.

An institution may accept for transfer any course not listed in ACTS based on the institution's transfer policies.

Adding New Courses to ACTS

New general education courses can be considered for inclusion in ACTS only if a majority of Arkansas colleges and universities offer the course or the AHECB has approved the course for the state minimum general education core. ADHE must select a faculty committee to assist in the determination of the general course description and minimum student learning outcomes as

a part of the ADHE course approval process. All institutions will have an opportunity to comment on the course description/learning outcomes prior to ADHE adding the course to ACTS. The decision of ADHE on the course description and learning outcomes for a course listed in ACTS is final.

In 2008, the course description and expected student learning outcomes for 8 common business courses were approved by ADHE for transfer purposes. Institutional participation is optional for the offering and acceptance of these business courses for transfer purposes. The 8 business courses are not ACTS courses, but are listed in ACTS for information purposes only.

Arkansas Common Course Numbering System

Act 747 of 2011 requires the Arkansas Higher Education Coordinating Board to implement a statewide common course numbering system that (1) provides improved program planning; (2) increases communication among all delivery systems; (3) facilitates the transfer of students and credits between state-supported institutions of higher education; and (4) promotes consistency in course designation and identification.

The Coordinating Board adopted the following resolution on April 27, 2012:

RESOLVED, That effective July 1, 2013, the Arkansas Higher Education Coordinating Board adopts all of the lower level general education courses currently identified in the Arkansas Course Transfer System (ACTS) as being the statewide Common Course Numbering System (CCNS). All courses in ACTS identified as lower level general education courses, now or in the future, shall be considered as part of the statewide Common Course Numbering System (CCNS).

COOPERATIVE ASSOCIATE DEGREE PROGRAM GUIDELINES

Act 773 of 1991 allows technical institutes and comprehensive lifelong learning centers, both postsecondary institutions under the authority of the State Board for Vocational Education, to be involved in providing associate degree programs and college transfer courses. The act requires that these cooperative programs and courses must be offered through a college or university accredited by the Commission on Institutions of Higher Education of the North Central Association.

The act requires a Memorandum of Understanding (MOU) between the technical institute or comprehensive lifelong learning center and the college or university providing the courses or degree. The MOU will be based upon guidelines developed by the State Board of Higher Education in conjunction with the State Board of Vocational Education. The act also requires SBHE approval of each proposed cooperative program.

The guidelines are based upon existing requirements of the state Board of Higher Education for new degree programs and requirements of the State Board for Vocational Education for designating and naming technical institutes and comprehensive lifelong learning centers. They have been discussed with and reviewed by the Department for Vocational Education.

On April 10, 1992, the Board adopted the following resolution (Item No. 31):

RESOLVED, That the State Board of Higher Education approves the Guidelines for Cooperative Associate of Applied Science Degree Programs and Transfer Courses Between a College/University and a Technical Institute or a Comprehensive Lifelong Learning Center presented with this agenda item.

Citation: [6-51-901-907](#)

**GUIDELINES FOR COOPERATIVE ASSOCIATE OF APPLIED SCIENCE DEGREE
PROGRAMS AND TRANSFER COURSES BETWEEN A COLLEGE/UNIVERSITY
AND A TECHNICAL INSTITUTE OR A COMPREHENSIVE LIFELONG LEARNING
CENTER**

These guidelines pertain to any program developed jointly or listed in any publication as a joint, cooperative, or articulated program between a technical college, community college, college or university under the authority of the State Board of Higher Education (SBHE) and a postsecondary institution under the authority of the State Board for Vocational Education. A Memorandum of Understanding (MOU) based upon these guidelines must be approved by the board of each institution and submitted for approval by the SBHE.

If the MOU is for a program not currently offered by the college, the MOU must be part of a new program proposal submitted to ADHE for review and approval by SBHE. If the MOU is for a program currently offered or for one or more transfer courses, a separate MOU must be submitted for approval by the SBHE for each program and site. These guidelines apply to the offering of one or more college transfer courses and the awarding of any associate degree program of study offered in cooperation with, or on the campus of, a technical institute or comprehensive lifelong learning center.

The MOU must indicate or document that the following are in place for the program or course(s) covered:

1. Freshman assessment and course placement following state requirements in English, reading, and math must take place at entrance.
2. Students must be admitted to both institutions.
3. General education courses must be sequential and integrated into the total program.
4. Courses offered by the technical institute or comprehensive lifelong learning center must be evaluated by appropriate college personnel. In consultation with the technical institute or center, the college may select outside evaluators. Courses accepted by the college or university must be of a collegiate level, listed in semester credit hours, and reported on the college transcript as transfer hours. The courses must also include appropriate general education, related support, and/or technical prerequisites which are clearly identified, defined, and followed. The total hours accepted by the college or university should not exceed 48 hours except in unusual cases.
5. Principal program area faculty from the technical institute or comprehensive lifelong learning center must meet or exceed the minimum academic credential standards as established by ADHE for technical faculty. (See Agenda Item No. 8, October 4, 1991.)

6. All publications, such as catalogues, newsletters, advertisements, and so forth, must clearly indicate the courses offered by each institution and that the degree is awarded by the college or university.
7. If the college/university courses or programs are to be offered at the technical institute or comprehensive lifelong learning center site, the college must: (a) document written notice from the Commission on Institutions of Higher Education of the North Central Association that its accreditation approval covers such off-campus work; (b) ensure that library, audio-visual and other support services are adequate; and (c) ensure that potential student enrollment is sufficient to sustain the courses or programs.
8. The responsibilities of each institution regarding such functions as registration, admissions, advisement, financial aid, book sales, and other items must be clearly defined.
9. A process for either party to withdraw from the MOU, while ensuring that such withdrawal does not unduly harm the educational program of enrolled students, must be included in the MOU.
10. Signature indicating approval by the president and the board of trustees of each institution must be a part of the MOU. A copy of the MOU with all required signatures must be received at least two months before the SBHE meeting at which approval is being requested.
11. Any prior agreements between a college/university and a vo-tech school may be continued in force for students enrolled in the program prior to June 1, 1992.
12. Programs developed for students who must hold national licensure in order to practice and are generic programs not articulated with a particular school are not subject to these guidelines and must be approved by the State Board of Higher Education under regular new program guidelines.

Approved: Agenda Item No. 31
April 10, 1992

HIGHER EDUCATION REPORTING POLICIES FOR ARKANSAS TECHNICAL COLLEGES

The Arkansas Higher Education Information System (AHEIS) is the statewide system for reporting institutional higher education data. The AHEIS system is managed by the Department of Higher Education, and operates with the cooperation of the public and independent colleges and universities of Arkansas. This reporting system uses uniform definitions and reporting forms to ensure accuracy and comparability of data across institutions as well as year-to-year continuity.

Since the State Board of Higher Education is now the governing board for 14 technical colleges established by Act 1244 of 1991 and related legislation, AHEIS reporting policies must also be extended to all financial and student reports by the new technical colleges. During the summer, the ADHE Planning and Research Division conducted enrollment audits at each technical college. While the audits were taking place, the Department's data processing staff acquired financial accounting software for the technical colleges and developed a computerized registration and reporting system.

The data elements in this new computerized registration system are based on AHEIS definitions used by all other Arkansas institutions of higher education. The new system also incorporates, for the technical colleges, the new statewide Student Information System developed in 1990 by ADHE and the public colleges and universities. Individual student records will be generated for each enrolled student at every technical college with the information needed to complete all ADHE reports, calculate retention and graduation rates, and conduct other studies as needed.

This agenda item describes the most important definitions used in student reporting by the AHEIS system. Definitions of credit and noncredit courses are the basis for all headcount and credit hour reporting. Only those students and credit hours meeting these definitions will be reported by the technical colleges and used by ADHE in summary reports and budget formula calculations.

Additionally, the reporting system put in place at the technical colleges follows the standard practice in Arkansas of freezing headcount enrollment and credit hour production on the eleventh class day of each term. As is the case with all other public colleges and universities in the state, changes in headcount or credit hour production after the eleventh class day are not to be reported to ADHE and will not be used in any reports or statistics kept by the department.

Citation: [6-53-101-505](#), [6-61-201](#)

CREDIT VS. NONCREDIT COURSEWORK

Credit Courses

Credit courses are courses for which, upon successful completion, students are given credit that can be applied to meet the requirements for a degree, certification, or similar academic award at the granting institution. In addition, courses that can be transferred to meet requirements for a degree or certificate at another Arkansas institution and developmental courses for which credit equivalency is granted may also apply. Developmental courses may not be counted toward graduation requirements.

A credit hour meets the minimum class time of 50 minutes per week for 16 weeks or an equivalent time. Labs and shops are scheduled a minimum of two 50-minute periods per week for 16 weeks to equal one (1) credit. A ratio of more than 2:1 may be used if required to provide adequate lab/shop time.

A credit course must have as a minimum the following requirements: a published course description, a course syllabus including testing and grading procedures, and the awarding of a final grade.

Noncredit Courses

Courses, seminars, workshops, and other institutional activities or experiences offered by a higher education institution that may not be applied to meet requirements of the institution's degree/diploma certificate program. Noncredit activities may include continuing education or community service activities. These courses do not generate student semester credit hours and should not be reported to ADHE on any report of credit hour production.

High School Enrollment

High school enrollment refers to students who are enrolled simultaneously in a high school and an institution of higher education but have not yet graduated from high school. Fundable credit for high school student enrollment consists of:

1. Those credits for which high school students are enrolled as a part of a recognized college/high school cooperative vocational program.
2. Those on-campus credits for which high school students pay their own fees and enroll for higher education vocational or non-vocational credit in addition to their normal high school program. High school students whose fees are paid by the public school district, subdivision thereof, or any entity directly related thereto will not meet the requirements of this definition unless those students qualify under Act 57 of the first 1983 Extraordinary Session of the 74th Arkansas General Assembly.

STUDENT LEVELS

Student level refers to the proportion of total requirements a student obtained, as of the census date, toward the completion of the degree/diploma or certificate program in which the student is enrolled. The following mutually exclusive undergraduate student level categories will be used:

1. **LOWER DIVISION** - A student who (a) is enrolled in a program(s), courses(s) of study, or activity(ies) which leads to an associate degree and has earned less than 60 hours; or (b) is enrolled in an undergraduate occupational or vocational program(s) of three or fewer years' duration which results in formal recognition below the baccalaureate degree. The following subdivisions should also be used:
 - a. **FIRST-TIME ENTERING FRESHMAN** - A lower division student who (a) has earned zero semester credit hours or (b) students who earned college credit while still enrolled in high school. Students should be reported in this subdivision during one reporting period only.
 - b. **CONTINUING FRESHMAN** - A lower division student who has earned fewer than 30 semester credit hours.
 - c. **SOPHOMORE** - A lower division student who has earned at least 30 but less than 60 semester hours.
2. **UNCLASSIFIED PRE-BACCALAUREATE** - A student who cannot be classified into one of the categories above because he or she is not enrolled in a program of study leading to a degree/diploma or certificate, even though taking courses with regular students. This category does not include students who have been admitted to pursue a degree but have not yet declared a major.

CENSUS DATES FOR REPORTING PURPOSES

The census date for reporting student enrollment, including student semester credit hours, is the end of the eleventh day of classes in a regular term and the end of the fifth day during each summer term. Any changes in enrollment or credit hour status after the census date should not be included in data reported to the Department of Higher Education.

The following resolution was approved on October 4, 1991 (Item No. 12):

RESOLVED, That the State Board of Higher Education adopts these definitions of credit and noncredit courses, student levels, and census dates for all reporting by Arkansas technical colleges;

FURTHER RESOLVED, That the chief executive officers of all technical colleges are directed to employ these definitions as the basis for all headcount and credit hour

reporting to ADHE, as well as such other ADHE reporting requirements as may exist for other Arkansas public colleges and universities;

FURTHER RESOLVED, That the Director of the Department of Higher Education is authorized to make such technical changes to the Arkansas Higher Education Information System (AHEIS) as may be necessary for the effective and efficient operation of the AHEIS system.

Approved: Agenda Item No. 12
October 4, 1991

**CRITERIA FOR THE ESTABLISHMENT OF
A COMMUNITY COLLEGE DISTRICT**

As requested by the State Board of Higher Education at its last meeting, the Advisory Commission on Community Colleges met on May 2, 1973, and considered criteria for the establishment of a community college district. These recommended criteria, as presented on the following pages, are considered as minimum requirements any proposed district must meet. In addition to minimum criteria, a system for selecting among the proposed districts which meet the criteria was also recommended.

Act 103 of 1973 provides that the State Board of Higher Education shall set forth criteria for the establishment of community college districts. At several points in the act, specific items are mentioned for inclusion in the criteria. In addition, the act clearly provides for the State Board of Higher Education to include other criteria that it finds desirable.

The criteria as recommended by the Advisory Commission on Community Colleges cover all of the items mentioned in Act 103 plus criteria concerning meeting community needs and efficient use of state resources which seemed desirable.

The State Board approved the following resolution on May 11, 1973 (Item No. 16):

RESOLVED, That the State Board of Higher Education adopts the Criteria for the Establishment of a Community College District as recommended by the Advisory Commission on Community Colleges with such changes as have been made at this meeting and directs that these criteria be included in the minutes of this meeting as adopted.

FURTHER RESOLVED, That the Director of the Department of Higher Education is instructed to provide copies of these adopted criteria to all parties that have established contact with the Department of Higher Education and are working toward the establishment of community colleges.

Citation: [6-53-102-605](#)

**CRITERIA FOR THE ESTABLISHMENT OF
A COMMUNITY COLLEGE DISTRICT**

1. Presentation of Application

An application must be presented which proposes development of a feasible community college which will meet all of the minimum criteria established by the Board of Higher Education under applicable laws. The application must contain the elements of an application described in "Application for a New Community College" and any other State Board of Higher Education actions.

2. Number of Students

There shall be a minimum of 300 full-time student equivalents projected for the fall enrollment of the third year by one of the following techniques:

- a. Twenty-five per cent of the total current enrollment in grades 10, 11, and 12 of the school systems in the district
- b. Twenty-five per cent of the total current enrollment in grades 10, 11, and 12 of the Arkansas school systems located closer to the proposed community college than to any other college, but no more than 50 miles from the proposed community college
- c. A proposed college near the lower limit by whatever technique is used should also demonstrate a history and an anticipation of continued population growth

3. Site

A desirable site should be at least 40 acres for each 100 full-time equivalent students projected five years in advance. The minimum site size will vary from proposed district to proposed district depending upon the programs to be offered, the terrain, the campus design, and site availability. In addition, the site should be the best possible combination of the following factors: Accessibility to main arteries of traffic, closeness to greatest population concentration, closeness to center of district, accessibility to public and private transportation, visibility to general public, desirable topography for construction and aesthetics, cost, compact shape, desirable zoning, and availability of utilities, fire and police protection.

4. Facilities

The college shall be provided an initial facility adequate for the projected enrollment in the third year, and it shall be demonstrated that adequate facilities can be provided for the projected enrollment in the fifth year. Either adequate facilities for the projected third year

enrollment shall be available or funding shall be available, permanent facilities under development, and temporary facilities utilized when the college opens.

For a community college of less than 1,000 students, 105 gross square feet per full-time student of projected third year enrollment can be used for planning. The square footage needed will vary with the college curriculum and several other factors. More space than the 105 gross square foot planning factor is desirable, and less might be minimally adequate. The necessary square footage per student decreases slightly with greater enrollments.

The quality of facilities is also important, even though it is more difficult to specify minimum quality requirements. Great care should be taken, especially when existing facilities designed for another purpose are proposed as permanent when existing facilities, that the facilities are of proper proportions in the various areas, aesthetically pleasing, comfortably heated and air-conditioned where necessary, properly equipped for laboratories, shops and offices, insulated for sound and otherwise appropriate for permanent use. The quality of permanent and temporary facilities will be considered in determining an adequacy of facilities.

5. Local Income

The anticipated local income for capital outlay must be sufficient to provide the site and campus required under the previous two criteria for at least the first five years that instruction is offered by the district. There should be millage or continuing local income which is sufficient to insure the district's financial soundness and justify desirable rates of interest on bonds.

6. Comprehensiveness of Curricula

The community college educational program must be comprehensive enough to serve the postsecondary educational needs of its district and the state through occupational programs of varying types and levels of difficulty, courses transferable toward a bachelor's degree, community service offerings, student guidance and counseling services, and other needed post-secondary educational services. The community college may enter into cooperative relationships for programs to be offered through other institutions or through cooperative relationships with other institutions.

7. Meeting Community Needs

The community college proposal must meet the appropriate educational needs of its service area. Identification of educational needs and development of programs to serve them must evidence adequate reliance upon available data, and, where necessary, on surveys to secure data otherwise unavailable, as well as upon the involvement of citizens representing all geographic, economic and social segments of the proposed college district. Public understanding of and support for the community college must be developed through the involvement of the Steering Committee in the developmental of the proposal. The Steering Committee is very important in this respect, and great care should be taken to insure that its

membership is representative of the proposed district so that the college will reflect the district's educational needs and so that the college can be interpreted to the citizenry through this committee.

8. Size of District

The size of the district shall be such that all students within the district are within commuting distance of the college. Commuting distance is defined as one hour's driving time under normal conditions or 50 miles, whichever is greater.

9. Efficient Use of State Resources

The efficient use of state funds will be considered in evaluating the need for any proposed district by the State Board of Higher Education.

APPLICATION FOR A NEW COMMUNITY COLLEGE

I. Initial letter of application containing:

A. Intent to work for community college

B. Will be able to meet all minimum criteria:

1. Number of students in grades 10, 11, and 12 in country.

or

Number of students in grades 10, 11, and 12 in Arkansas school systems located closer to the proposed community college than to any other college, but not more than 50 miles from the proposed community college.

2. 1960 and 1970 census population figures for county.

3. Number of miles by all-weather road to nearest public college, nearest private college, and nearest state vocational/technical school from population center of proposed district.

4. How a permanent site and facilities for 25 percent of the students in (1) above would be provided by the third year of operation and then expanded as the college grows and develops.

II. Feasibility study containing:

A. Analysis of existing postsecondary educational opportunities, utilization of existing postsecondary educational opportunities by district residents, and types of educational programs needed. This should include a review of existing institutions, a review of attendance rates by various types of district residents at various types of institutions, a survey of high school student plans and programs needs, and a survey of business and industrial employment patterns and anticipated needs.

B. Projected enrollment. The enrollment for the proposed community college should be estimated and presented for each of the first five years that the college will operate.

C. Proposed curriculum. This should include a general plan for the development of specific occupational programs which are needed in the college's service area, the proposed areas of emphasis in transfer programs and the general plans for community service and counseling and guidance programs.

D. Availability of a site. This should include one or more specific sites which are definitely available and a detailed description of each site in terms of the factors mentioned in the site criteria.

E. Facilities. This should provide a detailed explanation of the plans for permanent and temporary facilities which are proposed in terms of the factors mentioned in the facilities criteria.

F. Local income. The plans for financing or providing the site and facilities should be explained. A millage, based on the projected costs of site and facilities and the assessed value of property in the district should be proposed. If any millage for operation to enrich the program of the college is expected, this should be explained.

G. Commuting distance. The distance from the proposed site(s) to the residents of the district most distant from the proposed college should be stated.

H. Proposed budget. An estimated budget for the first year of operation of the college, based on the projected enrollment and proposed curricula should be presented. Budgets should also be proposed for each year in which funds are needed before the college begins to operate.

I. Developmental Plan. The general timetable for the development of the proposed community college should be given. Anticipated dates for all major activities from the circulation of the petition to the first day of class or the occupancy of the permanent facilities should be outlined.

Approved: Agenda Item No. 16
May 11, 1973

CRITERIA FOR COMPREHENSIVENESS FOR COMMUNITY COLLEGES

Throughout the discussions of the Advisory Commission on Community Colleges which resulted in the new community college recommendations, there was continual concern that the community colleges would not always faithfully perform the functions being proposed. As a result, the Advisory Commission on Community Colleges developed a more detailed definition of a community college which charged the State Board of Higher Education to determine annually that each college is performing the functions specified in the definition.

The specific language of Act 103 of 1973 is as follows:

SECTION 1. Definitions as used in this Act: (a) "Community College" means an educational institution established or to be established by one or more counties or cities of this state offering a comprehensive program designed to serve the postsecondary educational needs of its district and the state including specifically, but without limitation, occupational programs of varying types and levels of difficulty, the first two years of a baccalaureate degree, community service offerings, and student guidance and counseling services.

SECTION 3. State Community College Board - Duties. The State Board of Higher Education is hereby authorized to, and shall, act as the statewide coordinating board for the community colleges established in conformity with this Act. When the State Board of Higher Education is acting as the "State Community College Board", the Director of the State Department of Education shall be an ex-officio nonvoting member of such Board. The State Community College Board shall have the following duties and powers:

(I) The State Community College Board shall develop criteria for determining if an institution is adequately comprehensive. The State Community College Board must make an annual determination (and may do so more often) as to whether each community college is adequately comprehensive, that institution shall not be eligible for state funds until it has corrected the deficiencies and has received a favorable determination by the State Community College Board. In developing criteria to determine if an institution is adequately comprehensive, the State Community College Board shall require that each community college fulfill all aspects of the definition of a community college contained in Section 1 (a) of this Act and shall specifically provide for occupational programs that do not require academic transfer courses for completion.

The statement of criteria which follows has been reviewed and recommended by the Advisory Commission on Community Colleges.

The resolution below was approved on September 22, 1973 (Item No. 5):

RESOLVED, That the State Board of Higher Education adopts the Criteria for Comprehensiveness which shall be used for annually determining if a community

college is adequately comprehensive. The Director is instructed to provide each community college with a copy of the criteria and to make further copies of the criteria available to all who request them.

FURTHER RESOLVED, That the Director is instructed to develop a procedure for this annual determination and to present such information to the State Board of Higher Education so that the determination can be made as prescribed by law.

Citation: [6-53-102-605](#)

CRITERIA FOR COMPREHENSIVENESS FOR COMMUNITY COLLEGES

As Required by Act 103 of 1973, Section 3, Paragraph (i)

1. The curriculum and services of the community college must be designed to serve the postsecondary educational needs of its district and the State of Arkansas. The curriculum must include occupational programs that do not require academic transfer courses for completion.

To identify the needs of its service area, the community shall do a comprehensive survey of its employment needs at least every five years. Either the comprehensive survey or special data shall be presented as evidence of the need for each new program proposed. Each existing occupational program must be reviewed at least once every five years to see that employment and need for additional graduates of the program continue.

2. Occupational programs of varying types and levels must be offered in the community college district either by the community college or by some other post-secondary institution. The type and level of each program shall be identified through the use of the following terminology regarding degrees and certificates granted for completion of programs:
 - a. Associate of Arts or Associate of Science Degree indicates a college level program primarily designed for transfer to a four-year degree program or for general education purposes which requires at least four semesters for completion by the average full-time student. Each Associate of Arts or Associate of Science Degree program shall contain an appropriate general education segment.
 - b. Associate of Applied Science Degree indicates a college level program primarily designed for occupational purposes and which requires at least four semesters for completion by the average full-time student. Each Associate of Applied Science Degree program shall contain a general education segment appropriate to the occupation for which the program is designed.
 - c. Certificate of Proficiency indicates a program of any level specifically designed for occupational purposes. A Certificate of Proficiency may be awarded in any occupational program which requires from one to four semesters for completion by the average full-time student. Each Certificate of Proficiency program may contain supporting subject matter which is necessary or helpful for the particular occupational program for which it is designed. A certificate of proficiency program shall not require the completion of academic transfer courses as general education courses.
3. The community college shall offer the first two years of baccalaureate degrees which are most common and appropriate in its service area. The Department of Higher Education, the community colleges, and the upper level institutions to which

community college graduates regularly transfer share the responsibility for coordination transfer programs.

4. The community college shall offer developmental or remedial instruction which is needed locally to assist individuals who lack the skills required to enter any of the college's instructional programs.
5. The community college shall offer, as community service courses, any additional unit of instruction for which there is local need, available instructional personnel and adequate financial and physical resources.
6. The community college shall offer guidance and counseling services which include at least the following elements:
 - a. Adequate records and information resources on each student so that the college can advise the student on the services offered to the student which will fit the student's needs.
 - b. An organized professional system to assist each student in funding and taking the best advantage of the services the community college can offer.
 - c. An organized system for following the progress of each student so that the student can be assisted at difficult or decision points in his or her college experience.
 - d. An organized system to put the student in contact with the next step in his or her educational or occupational development.
 - e. Individual assistance to students in making career, program, course and employment decisions and assistance with personal problems not requiring more extensive services.

Approved: Agenda Item No. 5
September 22, 1973

**COLLEGE AND PROGRAM ADMISSION AND
STUDENT ABILITY TO BENEFIT
FOR ARKANSAS TECHNICAL COLLEGES**

Act 1244 Requires the State Board to define the requirements of appropriate degrees and certificates. Part of this requirement must be the establishment of policies regarding the admission of qualified students to a program of study leading to the awarding of an associate degree or certificate. Further, Act 1101 of 1991 requires all first-time entering freshmen in all associate degree programs to be tested for placement purposes in English, reading and mathematics.

The resolution below was approved on October 4, 1991 (Item No. 10):

RESOLVED, That the State Board of Higher Education directs each technical college to establish minimum admission requirements for all programs, to establish an appropriate assessment program, to provide an appropriate remedial or development studies program, and to establish articulation guidelines between the developmental studies program and each curriculum program.

FURTHER RESOLVED, That the State Board of Higher Education adopts all regulations contained in the College and Program Admission and Student Ability to Benefit Policy.

Citation: [6-53-101-505](#), [6-61-201](#), [6-61-222](#)

COLLEGE AND PROGRAM ADMISSIONS AND STUDENT ABILITY TO BENEFIT POLICY

The technical college system accepts the responsibility to produce technicians who are competent to meet the assessed needs of business and industry and at the same time to assist individuals in achieving educational and occupational objectives consistent with their potential.

In order to fulfill this educational mission and to promote the achievement of individuals with varied potential, open admissions is defined as a practice which (1) admits to the college all citizens who can benefit from available learning opportunities, and (2) places into specific programs of study those students whose potential for success is commensurate with expected standards of performance.

The definition of open admissions requires a commitment to use a program to assess student potential and to provide appropriate developmental and remedial programs of study to meet those needs. It is recognized that funding developmental and remedial programs to support this definition of open admissions should be commensurate with the commitment made to this educational activity.

In support of this definition, each technical college shall develop the following procedures:

1. Develop appropriate assessment procedures for college and program admission guidelines and the assessment of competency in basic skills. Section 23 of Act 1101 of 1991 must be followed in assessment and admission of students in associate degree programs.
2. Identify the specific entry level skills required for admission into each program.
3. Determine and establish a minimum feasible performance level for admission into developmental studies. The level should reflect an analysis of the entry level requirements for each curriculum and an analysis of the capabilities and limitations of the developmental studies program.

Those students not eligible for entry into developmental studies shall be admitted into the college adult education program or referred to the local school district adult basic educational program.

4. Establish articulation procedures between developmental studies and each curriculum program. Minimum competencies in math, reading, and language should be defined for placement into each curriculum. The measurement methods should be reliable and valid.
5. Follow standards and procedures for academic probation and suspension for those students who do not maintain satisfactory progress.

Approved: Agenda Item No. 10
October 4, 1991

TWO YEAR SERVICE AREAS

ACT 1244 of 1991 requires the College Panel and the State Board of Higher Education "to determine service areas containing all counties within the state" and designate which system institution "shall be responsible for fulfillment of the two year postsecondary educational needs of the service area."

In developing geographic service areas, several items were considered. These included the current area being served by each community or technical college or university branch, counties not currently served, travel patterns, natural boundaries, and residency of local board members. Comments have been solicited from each two-year college, and these suggestions have been fully considered and incorporated where possible.

Several counties have historically been served by more than one institution. Joint service areas have been designated where one or more of the above factors indicate joint service is in the best interest of the citizens of that county. No county that contains a two-year college has been designated as a joint service area.

The following resolution was approved by the State Board on January 24, 1992 (Item No. 20):

RESOLVED, That the State Board approves the Service Areas for Two-Year Colleges and designates the college(s) which shall fulfill the basic two-year educational needs of that area.

Citation: [6-53-203](#)

REVISION OF TWO-YEAR COLLEGE SERVICE AREAS

Through mutual agreement between South Arkansas Community College (SACC) and Southern Arkansas University-Tech (SAUT), the service areas for the two institutions will be changed. Columbia County will be reassigned from the SACC service area to the SAUT service area. Bradley County will be assigned solely to the SACC service area instead of being shared by both SACC and SAUT.

On April 25, 2003 (Agenda Item No. 4), the Higher Education Coordinating Board revised this policy with the approval of the following resolution:

RESOLVED, That the Arkansas Higher Education Coordinating Board repeals or revises the aforementioned policies as outlined above, effective April 25, 2003.

SERVICE AREAS FOR TWO-YEAR COLLEGES

ASU-Beebe/Newport	Jackson, White, Prairie (Woodruff, Lonoke, Craighead, Poinsett, Faulkner)
Black River TC	Randolph, Lawrence, Clay, (Greene)
Cossatot CC of UA	Sevier, Little River, (Howard, Pike)
East Arkansas CC	St. Francis, Cross, (Lee, Monroe, Woodruff, Poinsett)
National Park CC	Garland, (Saline, Montgomery)
UACCBatesville	Independence, Cleburne (Stone, Sharp)
Mid-South CC	Crittenden, (Poinsett)
Arkansas Northeastern C	Mississippi, (Craighead, Poinsett, Greene)
ASU-MH	Baxter, (Marion)
North Arkansas C	Boone, Carroll, Madison, Newton, Searcy, (Marion)
Northwest AR CC	Benton, Washington
SACC	Union, Ashley, Chicot, Bradley
College of the Ouachitas	Hot Spring, Clark, (Dallas, Grant, Saline)
Ozarka C	Izard, Fulton, (Sharp, Stone)
UACCMorrilton	Conway, Van Buren, Pope, Yell, Perry, (Faulkner)
Phillips CC of UA	Phillips, Arkansas, (Desha, Lee, Monroe)
SEAC	Jefferson, Lincoln, Cleveland, Drew, (Grant, Desha)
Pulaski TC	Pulaski, (Saline, Faulkner, Lonoke)
UACCHope	Homestead, Miller, Nevada, Lafayette, (Howard, Pike)
Rich Mt. CC	Polk, (Scott, Montgomery, Pike, Howard)
SAU Tech	Ouachita, Calhoun, Columbia (Dallas)
UAFort Smith	Sebastian, Crawford, Logan, Franklin, Johnson, (Scott)

() Counties served by more than one college.

Note: List has been updated to reflected changes of names of colleges and mergers since the policy was approved.

Approved: Agenda Item No. 20
January 24, 1992

Amended: Agenda Item No. 4
April 25, 2003

SECTION 4:

FINANCIAL AID

ARKANSAS ACADEMIC CHALLENGE SCHOLARSHIP RULES AND REGULATIONS

The Arkansas Academic Challenge Scholarship Program has been expanded to provide opportunities for higher education to previously underserved Arkansans (traditional students and nontraditional students) due to the additional funding made possible by the Arkansas Scholarship Lottery. The goal of this scholarship is to provide meaningful financial help to those qualifying. The scholarship will be available to all Arkansans regardless of race, gender, family income or course of study as long as the applicant meets the eligibility requirements. Academic Challenge currently serves approximately 35,000 students. The program works to promote academic rigor and excellence. The scholarship program is based on merit, one that reflects a commitment to academic achievement and degree attainment.

The rules of the Arkansas Academic Challenge Scholarship will make minor changes to the scholarship with regards to eligibility and continuing eligibility requirements for traditional and non-traditional students, definitions, and correcting minor technical problems. The rules are necessary to comply with Acts 234, 1106, 1173, and 1263 of 2013. The rules also cleaned up areas that were confusing or did not work with the administration of the program.

In compliance with the Administrative Procedures Act of 1979, a public hearing was announced in a newspaper of general circulation to discuss the rules and regulations that will govern the Arkansas Academic Challenge Scholarship Program. The hearing will be held on April 25, 2014, in conjunction with a meeting of the Arkansas Higher Education Coordinating Board.

The following resolution is offered for the Board's consideration:

RESOLVED, That the Arkansas Higher Education Coordinating Board adopts the rules and regulations presented in this agenda item for the Arkansas Academic Challenge Scholarship Program, to be administered jointly by the Arkansas Department of Higher Education and approved Arkansas Institutions of Higher Education.

FURTHER RESOLVED, That by the adoption of the rules and regulations presented in this agenda item, the Director of the Arkansas Department of Higher Education or his designee is authorized to promulgate these rules and regulations and to implement them for the 2014-2015 academic year.

FURTHER RESOLVED, That the Director of the Arkansas Department of Higher Education or his designee is authorized to make technical changes and corrections when necessary in the program rules for the Arkansas Academic Challenge Scholarship Program.

Citation: [6-82-1001-1011](#), [6-85-101-111](#), [6-85-201-221](#)

ACADEMIC CHALLENGE SCHOLARSHIP PROGRAM
RULES AND REGULATIONS

PART I
(RECIPIENTS AWARDED PRIOR TO FALL 2009)

RULE 1 – ORGANIZATION AND STRUCTURE

- I. The Arkansas Department of Higher Education (ADHE) shall administer the Arkansas Academic Challenge Scholarship Program within the policies set by the Arkansas Higher Education Coordinating Board. All formal communications shall be addressed to or signed by the Director of the Arkansas Department of Higher Education or his/her designee.
- II. The Director of the Arkansas Department of Higher Education has the final responsibility for selecting scholarship recipients pursuant to the provisions of Acts 352, 362 and 733 of 1991, Act 47 of 1992, Acts 720, 1170 and 1244 of 1993, Acts 188 and 228 of 1995, Act 858 of 1999, Acts 1612, 1664 and 1836 of 2001, Acts 1014, 2197, 2011 and 2214 of 2005, Acts 274 and 840 of 2007, Acts 606 and 1405 of 2009 and subsequent legislation, and program rules and regulations.
- III. The Arkansas Department of Higher Education shall follow the provisions of the Administrative Procedures Act when functioning under Acts 352, 362 and 733 of 1991, Act 47 of 1992, Acts 720, 1170 and 1244 of 1993, Acts 188 and 228 of 1995, Act 858 of 1999, Acts 1612, 1664, and 1836 of 2001, Act 1798 of 2003, Acts 1014, 2197, 2011 and 2214 of 2005 Acts 274 and 840 of 2007, Acts 606 and 1405 of 2009 and subsequent legislation, and program rules and regulations.

RULE 2 – SCHOLARSHIP ELIGIBILITY CRITERIA

- I. Eligibility Criteria

An applicant must meet the following requirements to be eligible to receive the Arkansas Academic Challenge Scholarship:

 - A. The applicant must be a citizen of the United States or a permanent resident alien.
 - B. The applicant shall have been a resident of the State of Arkansas for at least (12) months prior to graduation from an Arkansas high school, and the recipient's parent(s) or guardian(s) shall have maintained Arkansas residency for the same period of time.
 - C. The applicant shall have graduated from an Arkansas high school on or after March 5, 1991 and before December 31, 2009.

- D. The applicant must be accepted for admission and enrolled as a full-time, first-time freshman at an approved institution of higher education, as defined by the Department of Higher Education, within twelve (12) months of graduation from high school.
- E. The applicant must be enrolled full-time twelve (12) semester hours or the equivalent for the first semester and fifteen (15) semester hours or the equivalent every semester thereafter.
- F. The applicant must be enrolled in a program of study, which leads to or is creditable towards a baccalaureate degree. These programs include baccalaureate degree programs, associate degree programs, and nursing school diplomas, which require concurrent college enrollment.
- G. Applicants must certify that they are drug-free and must pledge in writing on the application form to refrain from the use or abuse of illegal substances. This includes alcohol for applicants under twenty-one years of age.
- H. Any male applicant under twenty-six years of age must file a Statement of Selective Service Status with the postsecondary education institution at which he is enrolled certifying that he has complied with the terms of the Military Selective Service Act before funds can be disbursed.
- I. The applicant must score 19 or above on the ACT Composite or at least 730 on the SAT combined verbal and math (if the ACT score is not available).
- J. A recipient of a Governor's Distinguished Scholarship is prohibited from receiving an Academic Challenge Scholarship.
- K. Applicants must achieve the following grade point average in the pre-collegiate core curriculum: 3.0 on a 4.0 scale if enrolling at an approved four-year institution or a grade point average of 2.75 on a 4.0 scale if enrolling at an approved two-year institution. These grade point averages may be revised to no lower than a 2.5 grade point average on a 4.0 scale if it is determined by the department, based on the most recent evaluation of the program's operation that the grade point requirement would unduly reduce the number of low-income or disadvantaged students who would otherwise be eligible for the program. At the Department's discretion, an exception may be made to institutions with a high percentage of students receiving full Pell grants, upon written petition to the department by the institution. The applicant who graduated from high school prior to December 31, 2001, must have achieved a grade point average (GPA) of 2.50 on 4.0 scale in the pre-collegiate core curriculum established by the State Board of Education and the Arkansas Higher Education Coordinating Board pursuant to A.C.A. 6-61-217 as listed below.

- **English** - Four units with emphasis on writing skill (not to include courses in oral communication)
- **Natural Science** - Two units, with laboratories, as follows: one unit of Biology AND one unit of Chemistry OR Physics (Applied Biology/Chemistry [two-year program] may be substituted for Biology. Principles of Technology I and II [two-year program] may be substituted for Physics). High School graduates in 2002 and beyond will be required to have an additional unit of science. The third unit may be any natural science, including Physical Science, with a lab.
- **Mathematics** - Three units: Algebra I, Algebra II and Geometry (Applied Math I and II [two-year program] may be substituted for Algebra I if the student who completes Applied Math I and II also completes Algebra II and Geometry [or more rigorous math courses such as calculus or trigonometry] with grades of C or better). Applicants graduating in the year 2002 and beyond will be required to have a fourth unit of Mathematics beyond Algebra II.
- **Social Studies** - Three units, including one of American History, one of World History, and at least one-half unit of Civics or American Government.
- **Foreign Language** – Two successive units in one foreign language.

A *unit* is defined as the credit received for completion of one (1) year of a course in high school. One semester is equal to one-half (1/2) unit.

OR

A *unit* is defined as the credit received for completion of one three credit-hour semester course in college as a high school student or as a student applicant seeking to meet the core requirements provided for in the grace period specified in Rule 2, Section I, Paragraph M.

The Department shall have the authority to exercise professional judgment in the determination of course substitutions when special circumstances exist that prevents the student from meeting stated course requirements but evidence exists that shows the student meets the academic intent of the program.

- L. Applicants who do not meet the requirements of both paragraphs I and K with respect to the minimum ACT score (or its equivalent), or the minimum GPA in high school core courses, shall qualify if they meet the combined test score and GPA requirements set out in the selection index below:

ACT SCORE

CORE CURRICULUM GPA

25-36	2.50 and above, if attending a 4-year institution, 2.25 and above, if attending a 2-year institution
20-24	2.75 and above, if attending a 4-year institution, 2.50 and above, if attending a 2-year institution
19	3.00 and above, if attending a 4-year institution, 2.75 and above, if attending a 2-year institution
15-18	3.25 and above, if attending a 4-year institution, 3.00 and above, if attending a 2-year institution

Applicants with ACT scores below 15 will not be eligible; applicants with GPAs below 2.25 will not be eligible.

- M. Applicants who have met the requirements as listed in Section I., Paragraphs A through I, but have not completed the precollegiate core curriculum defined in Paragraph K by the end of their senior year of high school shall have a grace period of twelve (12) months from graduation to make up any course deficiencies required for program eligibility, (as defined in Section I, Paragraph K) due to the unavailability of the courses in the applicant's high school. However, students will not be fully eligible for an award until all academic deficiencies are met.
- N. For applicants graduating from high school after December 31, 2006, applicants must demonstrate financial need as defined below:
1. An applicant whose family includes one (1) unemancipated child under the age of 24 shall have a family adjusted gross income (AGI) not exceeding \$65,000 per year at the time of application for the program, plus an additional \$5,000 of AGI per year for each additional child under the age of 24 at the time of application to the program.
 2. Any applicant whose family includes more than one (1) unemancipated child under the age of 24 enrolled full-time at an approved institution of higher education shall be entitled to an additional ten thousand dollars (\$10,000) of adjusted gross income when the Department of Higher Education calculates the financial need. The dependent(s) must be enrolled during the same year for which the applicant is seeking award.

3. Any student who claims to be emancipated or independent must be eligible to receive Federal financial aid as an independent student as defined by Federal regulations.
4. The Department of Higher Education may increase the income requirements using the Federal Consumer Price Index, if sufficient funds become available.
5. The Department of Higher Education may exercise professional judgement in determining family income levels when special circumstances exist that can be documented.

O. Except to the extent of the award amount, a recipient of a Scholarship under this rule shall not receive an additional scholarship under the Arkansas Academic Challenge Scholarship Program — Part 2.

II. Continued Eligibility

Subject to the availability of funds, recipients must maintain a 2.75 cumulative grade point average on a 4.0 scale and complete twelve (12) semester hours or the equivalent for the first semester and fifteen (15) semester hours or the equivalent every semester thereafter in order to have their scholarship renewed.

Students seeking baccalaureate degrees may renew their scholarship for up to three additional academic years for a total of four years. Students seeking associate degrees may renew their scholarship for one additional academic year for a total of two years. No student may use these funds beyond the baccalaureate degree.

III. Literacy Tutoring

As an additional component to the Arkansas Academic Challenge Scholarship:

1. Each applicant for the scholarship shall agree that for each year the scholarship is awarded he or she may volunteer to serve as a literacy tutor for a minimum of twenty (20) clock hours each semester in a public school or a faith based educational institution serving students in prekindergarten through grade six (preK-6);
2. A recipient who agrees to volunteer as a literacy tutor:
 - A. Shall complete the prerequisite training in literacy and college readiness skills provided under this section before he or she begins tutoring; and
 - B. May receive college credit for the tutoring as determined by the institution of higher education where the recipient is enrolled; and
3. An enrolled college student who participates in the tutorial program and fails to meet the academic eligibility requirement under this subchapter for the fall or spring semester shall be given the probationary opportunity during the

subsequent spring or summer term to continue his or her education and improve academic performance before losing scholarship funding in the subsequent semester.

A recipient who agrees to volunteer as a literacy tutor under this section shall receive the prerequisite training in literacy and college readiness from an approved institution of higher education based on training modules developed by the Department of Education.

RULE 3 – APPLICATION PROCESS

I. Application

Students must submit an application for the Arkansas Academic Challenge Scholarship Program to the Arkansas Department of Higher Education. The application is available online at the scholarship website. The Arkansas Department of Higher Education will also provide paper applications to any individual upon request. The applicant must complete the Academic Challenge Scholarship application either in writing or via the website.

II. Submission of Application and Application Deadline

The application deadline shall be June 1 of the calendar year in which a student graduates from high school, regardless of core curriculum deficiencies. At its discretion, the ADHE may extend the deadline, provided sufficient notice is provided to the public. The student is responsible for submitting the application and all supporting documentation in a timely manner.

III. Amount of Scholarship

The amount of the annual scholarship awarded to each recipient shall be graduated as follows:

1. A recipient in his or her freshman year shall be awarded an amount not to exceed two thousand five hundred dollars (\$2,500);
2. A recipient in his or her sophomore year shall be awarded an amount not to exceed two thousand seven hundred and fifty dollars (\$2,750);
3. A recipient in his or her junior year shall be awarded an amount not to exceed three thousand dollars (\$3,000); and
4. A recipient in his or her senior year shall be awarded an amount not to exceed three thousand five hundred dollars (\$3,500); or
5. A recipient shall receive the greater of the award amount listed above or the award amount for the same academic year for a full-time recipient under the Arkansas Academic Challenge Scholarship Program — Part 2.

IV. Award Notification and Prioritization of Awards

The number of new awards shall not exceed 5,000 per year.

During times of funding shortages under the Academic Challenge Scholarship Program, the Department of Higher Education shall first award those students who received an award in the previous academic year. If sufficient funds are not available to renew the Academic Challenge Scholarships of prior years' recipients, the available funds will be pro-rated among those recipients.

New applicants will receive the second funding priority. Should sufficient funds be unavailable to award all new applicants, awards will be prioritized to applicants meeting all eligibility requirements under the Academic Challenge Scholarship Program, who agree to accept a forgivable loan, as set forth in section § 6-82-1009, in lieu of a scholarship, and who agree to:

- (A) Teach, as required under § 6-82-1010, in a subject matter area designated by the Department of Education as having a critical shortage of teachers; or
- (B) Teach, as required under § 6-82-1010, in a geographical area of the state designated by the Department of Education as having a critical shortage of teachers.

After all awards are made to applicants who agree to the provisions of § 6-82-1009, awards will next be prioritized to students who meet all the eligibility criteria established in Rule 2, beginning with the neediest students first.

The Arkansas Department of Higher Education shall notify each eligible applicant of his/her award. The award notice includes the student's name, address, social security number, the actual amount the student is eligible to receive, and the student's first institutional choice as indicated on the application form. The award notice also explains the Arkansas Department of Higher Education's disbursement procedures and conditions of the Academic Challenge Scholarship.

Applicants, who are awarded pursuant to § 6-82-1009, shall execute a promissory note to the Arkansas Department of Higher Education for the purpose of entering into a loan agreement with ADHE. The terms of the loan agreement will include the general purpose, repayment and deferment procedures, interest calculations, and a schedule of advances. The promissory note shall be signed by the loan recipient and by a co-maker of eligible age. Modifications to any award amount will be confirmed through the issuance of a new promissory note.

The recipient, or the recipient's parent or guardian(s) if the recipient is less than 18 years of age, receiving state-supported student financial assistance shall complete and sign a consent form opting-in or opting-out of authorizing the release of the student's individual information to the Bureau of Legislative Research. Opting-out of the release of information to the Bureau of Legislative Research will not affect a student's eligibility for financial aid.

The information consented to be released by the student shall include:

1. A unique identifier;
2. Status for the Federal Pell Grant;
3. Postsecondary grade point average;
4. Number of semester hours attempted;
5. Number of semester hours completed;
6. Gender, race, ethnicity, and age;
7. High school graduated from or General Educational Development test score;
8. High school grade point average;
9. ACT score or ACT equivalent score, if available.

The consent does not authorize the release of the student's or the student's parents' name, address, or income.

This information will be used to guide the Arkansas General Assembly's evaluation of the need for adjustments to scholarship programs and funding levels.

V. Eligible Award Notification

Students who are determined to be eligible for participation in the Arkansas Academic Challenge Scholarship Program but who have not been admitted to or enrolled in an Arkansas institution of higher education shall be classified as eligible. The Arkansas Department of Higher Education shall notify the students of their status as eligible. The notice provides instructions for receiving an award, defines the applicant's responsibilities, and explains the grace period.

VI. Ineligible Notification

The Arkansas Department of Higher Education shall notify applicants who are determined to be ineligible and provide the reason for ineligibility. They will also be given instructions on how to correct any information on the application they believe to be incorrect.

VII. Incomplete Notification

Applicants who fail to submit complete applications, or who fail to supply the required documentation to process the application, will be classified as Incomplete. The Arkansas Department of Higher Education shall notify these students of their status. The Incomplete notice provides a list of the incomplete items and the actions necessary for completion.

I. Limits of Payment

A. Payment of Scholarships\Loans

The Arkansas Department of Higher Education shall disburse scholarship and loan funds to the approved institution of the student's choice. The Arkansas Department of Higher Education shall send funds to the institution via electronic funds transfer or state warrant. After verification of full-time enrollment, the institution will disburse the scholarship and loan funds to the student according to the institution's disbursement procedures. The scholarship or loan fund payment will correspond to academic terms, semesters, quarters, or equivalent time periods at the eligible institution. In no instance may the entire amount of the scholarship or loan disbursement for an educational year be paid to or on behalf of such student in advance.

B. Transfer of Scholarships\Loans to Another Approved Institution

A recipient who has received an Academic Challenge Scholarship may transfer the scholarship or loan to another approved Arkansas institution of higher education, provided that:

1. The student notifies the Arkansas Department of Higher Education, in writing, of the change of status by October 1 for the fall term and by February 1 for the winter and/or spring terms;
2. The student submits a transcript to ADHE, which certifies that the student has maintained both a 2.75 GPA, and full-time status at the institution the student is leaving; and
3. If the student was awarded pursuant to § 6-82-1009, the student transfers to an institution where the student will remain in the teaching program with the intent to pursue a degree in a subject shortage field or geographic shortage area established in Rule 3, IV (A) and (B).

C. Withdrawal Policy

The Arkansas Department of Higher Education shall allow a student to withdraw from the Arkansas Academic Challenge Scholarship Program for no more than one year. The recipient must submit a written petition for withdrawal. The petition shall give the reason for withdrawal and be supported by documentation. In the absence of extraordinary circumstances, the award will be revoked if the recipient fails to enroll full-time in an eligible institution in Arkansas, and the Arkansas Department of Higher Education receives neither written notification of transfer of the scholarship\loan to another eligible institution, nor a petition for withdrawal by the recipient by October 1 for the fall term and February 1 for the

winter and/or spring terms. At the discretion of the Department of Higher Education, the award will not be revoked if it is determined by ADHE that extraordinary circumstances prevented the student from notifying ADHE by the required dates.

D. Renewal of Scholarship

The scholarship may be awarded for a total of four academic years of undergraduate study, provided the recipient maintains at least a 2.75 cumulative grade point average on a 4.0 scale and complete twelve (12) semester hours or the equivalent for the first semester and fifteen (15) semester hours or the equivalent every semester thereafter.

Those recipients who are set to graduate at the end of their eighth semester of funding shall be exempt from the fifteen (15) credit hour requirement.

A student may not use these funds for educational purposes beyond the baccalaureate degree.

E. Cancellation of the Scholarship or Loan

1. The award will be terminated for any of the following reasons:
 - a) Failure to maintain a 2.75 cumulative grade point average on a 4.0 scale and/or complete twelve (12) semester hours or the equivalent for the first semester and fifteen (15) semester hours or the equivalent every semester thereafter.
 - b) Completion of a first baccalaureate degree within five years from initial college entrance as a full-time freshman.
 - c) Student, who was awarded a loan under the provisions of § 6-82-1009, fails to maintain enrollment in the teacher education program for which they were approved.
 - d) The scholarship or loan shall be terminated if a student fails to maintain continued eligibility requirements.
2. The recipient is responsible for notifying, in writing, the Arkansas Department of Higher Education of any change in status (i.e. transfer to another eligible institution in Arkansas, change in name, etc.) before appropriate deadline dates. Failure to provide written notification may result in the cancellation of the scholarship for that term.

F. Military Service

Recipients who are members of the Arkansas National Guard or Armed Forces Reserve units who are called to active duty for reasons other than regular unit training and are unable to complete the current term will be allowed to repeat the missed term without loss of scholarship credit. In addition, they will be placed in deferred status until six months after release from active duty, at which time they must be re-enrolled in an approved institution.

G. Repayment of Scholarships and Loans

1. Scholarship Repayment Terms

If the recipient of a scholarship withdraws, drops out, or is expelled on or after the first day of class of a payment period, the institution will determine whether the student received an overpayment of financial aid funds for noninstitutional expenses. Overpayment is the difference between the amount received as cash disbursements and the amount incurred for non-institutional costs during the portion of the payment period that the student was actually enrolled. It is the institution's responsibility to contact students and recover overpayments.

2. Terms of Loan Repayment

Recipients, who received a loan under 6-82-1009, shall begin teaching full-time in an approved subject or geographic shortage area in an Arkansas public school beginning in the first school year in which the recipient is eligible for employment as a licensed teacher. Recipients who perform said teaching service shall have their loans forgiven at a rate of one year's loan proceeds plus interest for every one year of service.

A verification of the loan recipient's employment will be conducted once a year, in June, through the school superintendent's office in the recipient's employment district.

Loan recipients who do not teach full-time in a approved shortage area in an Arkansas public school following certification, or who discontinue their studies prior to completing their program of study shall, within a maximum of five (5) years, repay the full remaining loan balance, plus accrued interest according to an interest and repayment schedule. The repayment schedule will be 20 percent of the total loan, plus interest, paid in twelve monthly installments for each year of service not completed. Repayment will be completed within a maximum of five years from the completion of a college degree or withdrawal from college, whichever comes first.

3. Interest on Loan

Interest will accrue from the beginning of the repayment period and will be at an annual percentage rate not to exceed ten percent (10%) on the unpaid balance, except that no interest will accrue during any deferment period. Interest will be calculated as a simple, per annum interest charge on the outstanding principal.

Interest will not accrue and installments need not be paid when an official deferment has been approved by the Arkansas Department of Higher Education. Any recipient who wishes a deferment must submit an application for deferment to ADHE for approval.

4. Deferment of Loan

At the discretion of ADHE, scheduled loan repayments may be deferred if it is determined by ADHE that extraordinary circumstances prevent the recipient from making such repayments. Deferments may be granted for the following conditions:

The recipient is engaged in a full-time course of undergraduate or graduate study at an institution of higher education. This must be verified by the Registrar's Office.

- a) The recipient is seeking and unable to find employment as a public school teacher in an approved shortage field for a single period not to exceed twelve (12) months. The loan recipient must submit a list of schools contacted for employment. ADHE will verify this information with the superintendent's office in that school district.
- b) The recipient is temporarily totally disabled, for a period not to exceed three years, as established by sworn affidavit from a licensed physician. ADHE reserves the right to require a second opinion by an ADHE approved physician.
- c) The recipient is unable to secure employment for a period not to exceed twelve (12) months by reason of the care of a spouse who is disabled, as established by the signature of a licensed physician. ADHE reserves the right to require a second opinion by an ADHE approved physician.
- d) Other extraordinary circumstances which would prevent the recipient from repaying the debt within the contractual obligations of the note may be considered.

To qualify for any of the deferments, recipients must notify ADHE of their claim to the deferment and provide supporting documentation on a

Request for Deferment, which will be supplied by ADHE upon request. The Request for deferment must be completed and returned to ADHE by the recipient. The recipient will be notified within ten (10) days of approval or disapproval of any application for a deferment.

5. Cancellation of Loan

ADHE will cancel a recipient's repayment obligations if it determines:

- a) On the basis of a sworn affidavit of a licensed physician that the recipient is unable to teach on a full-time basis because of impairment that is expected to continue indefinitely or result in death. ADHE reserves the right to require a second opinion by an ADHE approved physician; or
- b) On the basis of a death certificate or other evidence of death, that is conclusive under state law that the recipient has died.

6. Prepayment of Loan

There shall be no penalty for prepayment or repayment of all or any portion of the principal.

7. Failure to Repay

Loan recipients who fail to meet their repayment obligations may have added to their total obligation any costs for collection of the debt and shall have their teaching certification in Arkansas revoked.

H. Refunds

The Arkansas Academic Challenge Scholarship Program is entitled to a refund of the scholarship or loan amount, for that semester, if the recipient of a scholarship or loan withdraws, drops out, or is expelled on or after his or her first day of class of the payment period and the situation falls under the refund policy of the institution. The institution shall pay the refund to the Arkansas Department of Higher Education.

I. Overpayment

If the award of an Arkansas Academic Challenge Scholarship results in an overpayment to the student according to the state law (Arkansas Code § 6-80-105) governing the stacking of scholarships, the institution shall follow the ADHE Stacking policy in reducing the student's financial package to prevent the student from receiving funds above the federally recognized cost of attendance.

RULE 5 – INSTITUTIONAL RESPONSIBILITIES

I. College/University Responsibilities

A. Administrative Agreement

The chief executive officer of the eligible institution is responsible for appointing one representative from the financial aid office to act as administrator of the Arkansas Academic Challenge Scholarship Program and to receive all communications, forms, etc. This representative is responsible for verification, data and compliance with all program rules and regulations. The institution must comply with all rules and regulations in order to maintain continued eligibility status.

B. Disbursement Records

The institution shall maintain information on the student indicating disbursement of scholarship or loan funds.

C. Institutional Verification

The institution shall provide certification of full-time enrollment, as of the eleventh day of classes, by completing a Verification Roster each semester after registration. The Verification Roster is an alphabetical listing by institution of all persons receiving the award for a given academic term. The certifying official is responsible for completing the verification rosters each semester or trimester. The Arkansas Department of Higher Education shall provide electronic Verification Rosters to the Financial Aid Administrator for each semester or trimester as needed. The electronic Verification Rosters shall be returned to the Arkansas Department of Higher Education by November 1 for the fall term and by March 15 for the spring term. -Students who are enrolled less than full-time in the current term shall not receive scholarship or loan benefits in that term. The Arkansas Department of Higher Education shall also provide electronic continuing eligibility rosters to the Financial Aid Administrator before the end of the spring term. The continuing eligibility rosters shall be returned to the Arkansas Department of Higher Education no later than June 15 to ensure that adequate time is provided to notify students of their status in the program.

D. Deadlines for Disbursement of Funds

The deadline for disbursement of funds is no later than 10 days after written receipt of funds. Any outstanding funds not disbursed by these dates must be returned to the Arkansas Department of Higher Education. For those students whose applications are received by ADHE too late to allow disbursement by

these dates, disbursement will be made within 10 working days of receipt of the verification roster and electronic transfer of funds.

E. Due Diligence

The institution will exercise due diligence in providing complete, accurate, and timely information as requested by the Arkansas Department of Higher Education on any Arkansas Academic Challenge Scholarship recipient or former recipient. In addition, the institution will exercise due diligence in complying with all the rules and regulations of the Arkansas Academic Challenge Scholarship Program. The Arkansas Department of Higher Education shall periodically review the institution's records concerning this program in an effort to exercise its due diligence requirements as a steward of state funds.

RULE 6 – SCHOLARSHIP OR LOAN RECIPIENT'S RESPONSIBILITIES

I. Arkansas Academic Challenge Scholarship Award Recipient's Responsibilities

It is the recipient's responsibility to notify the Arkansas Department of Higher Education of any change in status within 21 days. This will include:

- Change in name
- Change in address
- Change in institution
- Change in full-time status (twelve college credit hours or its equivalent per semester for students who are in their first semester of college, fifteen college credit hours for those students who are beyond their first semester in college)
- Change in course of study for loan recipients
- Change in employment for those in loan forgiveness status

Failure to notify the Arkansas Department of Higher Education of a change of status may affect future eligibility.

RULE 7 – COLLECTION OF LOAN

I. Collection of Loan

Accounts will be retained by ADHE in the Financial Aid Division until the individual is no longer eligible for forgiveness or deferment. The account will be turned over to a vendor for repayment. The student will be notified by mail that their account is being placed with a vendor for collections and they will be sent a loan amortization schedule along with the letter. The account will remain with the vendor until repaid or 120 days past due. Loan recipients who are determined by ADHE to be 120 days delinquent will

be mailed their first letter of notification ten (10) days after the installment payment is due. The co-signer will be notified at the same time. If payment is not forthcoming within 60 days from the original payment due date, a second letter of notification will be sent to the loan recipient and the co-signer declaring their account is delinquent and requesting that the account be immediately brought up to date. If the loan recipient has not responded within 90 days from the original payment due date, the third and final letter of notification will be sent to the recipient and co-signer informing them that the account will officially be in default in outstanding payments are not made within 30 days.

II. Skip Tracing Mechanisms

If letters are returned as undeliverable, the Department of Finance and Administration's Motor Vehicle Division can be used to perform skip-tracing activities. Motor Vehicle Division's records are updated in March and September each year. To get this information, mail name, current address, and social security number on Arkansas Department of Higher Education letterhead to:

Department of Finance and Administration
Motor Vehicle Division
P. O. Box 1272
Little Rock, AR 72202
ATTENTION: Correspondence Desk

A response from the Motor Vehicle Division should be received within ten (10) working days.

Additionally, ADHE will use these steps to locate recipients and/or co-signers if communications are returned as undelivered:

1. Contact references listed on the recipient's application;
2. Utilize telephone directory or check with directory assistance in the area of the recipient and/or co-signer's last known address;
3. Contact institutional offices (alumni office, admissions office, registrar's office, fraternity or sorority, and the department that the recipient majored in) at the campus where the recipient last attended;
4. Contact creditors, such as credit card companies, credit bureaus, or GSL lender;
5. Contact recipient's field of study--professional organization, union, or licensing board;
6. Contact post office;

7. Contact utility companies; and,
8. Contact Chamber of Commerce.

III. Credit Reporting Agencies

Defaulted recipients and/or co-signers will be reported to the following Credit Reporting Agencies:

1. CSC Credit Reporting Services, Inc.
2. T R W Credit Data
3. Trans Union Credit Reporting

Forms for reporting defaulted loan recipients and/or co-signers are located in the collection file. ADHE will also respond promptly to any inquiries it receives from credit reporting agencies concerning delinquent or defaulted loan recipients and/or co-signers.

IV. State Income Tax Setoff

By the authority of Act 345 of 1993, the Department of Higher Education has been included as a claimant agency for the setoff of debts against state tax refunds. To access the Set-Off Section of the State Tax Administration Office, ADHE must submit name, address, social security number, and amount of debt via computer magnetic tape by December 1 to intercept taxes for the next year.

V. Litigation

No sooner than 30 days after sending the third letter of notification, ADHE shall institute a civil suit against the recipient and co-signer for repayment of the loan. Small Claims Courts will be used to satisfy debts of accounts up to \$3,000.00. If over \$3,000.01, ADHE must use Circuit Court. If the account is \$3,000.01 or above, ADHE may choose to use Small Claims Courts and waive the difference because of the expense involved in going to Circuit Court. If ADHE chooses to waive the difference, it cannot later try to collect the difference. Forms to take the recipient and/or co-signer to Small Claims Courts are requested from the recipient's and/or co-signer's county of residence.

VI. Write-Offs

Academic Challenge Scholarship Loans may be written off as uncollectible if ADHE shows due diligence to satisfy the collection of the debt, and documents in the recipient's file that:

- A. the cost of litigation would exceed the likely recovery if litigation were commenced; or

- B. the recipient and/or co-signer do not have the means to satisfy a judgment on the debt, or a substantial portion thereof.

Proof of due diligence collection activities must be submitted to the Administrator of the Department of Finance and Administration and approval from the Administrator must be received before Academic Challenge accounts may be written off.

VII. Nonpayment Penalties

- A. Loan recipients who fail to meet their repayment obligations may have added to their total obligation any costs for collection of the debt.
- B. Loan recipients who fail to meet their repayment obligations shall have their Arkansas teaching certification revoked.

RULE 8 – PROGRAM DEFINITIONS

The following definitions are used in the Arkansas Academic Challenge Program:

ACADEMIC YEAR fall semester, spring semester, and first and second summer terms in that order.

APPROVED INSTITUTION public-supported or private, non-profit postsecondary institution with its primary headquarters located in Arkansas that is eligible to receive Title IV Federal student aid funds

OR

Only under conditions set forth in A.C.A. 6-82-1007, a public or private nursing school located in Arkansas that is approved by the State Board of Nursing and which does not discriminate against employees on the basis of race, color, religion, sex, age, handicap or national origin, consistent with the provisions of applicable state and federal law.

Only those institutions defined above who comply with Act 1014 of 2005 regarding providing written, signed eight (8) semester course of study required for a bachelor's degree to incoming freshmen will be allowed to participate in the Academic Challenge Scholarship Program.

ARKANSAS RESIDENT to be considered an Arkansas resident by ADHE, a recipient and/or a recipient's parents or guardians must be an Arkansas resident for twelve (12) months prior to application for

the scholarship. Further, the recipient and/or recipient's parents or guardians claiming Arkansas residency may be asked to provide evidence of a permanent connection with the State of Arkansas. ADHE will look to one or more of the following to determine residency in those cases:

- (A) Information from FAFSA;
- (B) Valid Arkansas Driver's License;
- (C) Proof of payment for Arkansas personal and/or real taxes for previous year;
- (D) Proof of Arkansas vehicle registration;
- (E) Proof of Arkansas voter registration; and
- (F) Other forms of proof of Arkansas residency.

Cancellation

ADHE shall cancel the loan recipient's obligation if it determines:

On the basis of a sworn affidavit of a licensed physician, that the recipient is unable to teach on a full-time basis because of an impairment that is expected to continue indefinitely or result in death. ADHE reserves the right to require a second opinion by an ADHE approved physician; or

On the basis of a death certificate or other evidence of death, that is conclusive under State law that the scholar has died.

CITIZEN

a person who is a U.S. citizen or a permanent resident alien. If the recipient is not a U.S. citizen, but a permanent resident alien, the recipient must attach a copy of the permanent resident alien form I-151, I-551, I-94, or G-641 to the application.

CORE GPA

all pre-collegiate core curriculum will be used to calculate the core GPA, even if they exceed the recommended core. For instance, if the student takes three units of natural science (Biology, Chemistry and Physics) and only two units are required, all three courses will be used to calculate the core GPA.

COST OF ATTENDANCE

An estimate of a student's educational expenses that is designed to provide an accurate projection of the reasonable costs for the period of enrollment. Allowable cost include tuition and fees, room and board, books, supplies, transportation, disability expenses, loan fees, dependent care, study abroad expenses and miscellaneous expenses. Standard cost of attendance will vary for different categories of students. Institutions must maintain written documentation supporting the determined cost of attendance.

Default

Failure to repay the Academic Challenge Scholarship Loan in accordance with the terms of the promissory note provided that the failure persists for 180 days for monthly payments.

Due Diligence

This process refers to those steps ADHE takes to collect Academic Challenge Scholarship loan funds when a recipient enters repayment status. It includes: billing the scholar, sending overdue notices, conducting address searches if the recipient cannot be located, reporting the account to credit bureaus, collection, and litigation. Due diligence also includes keeping the recipient informed of all changes in the Academic Challenge Scholarship Program that affect his or her rights and responsibilities and responding promptly to the recipient's inquiries.

ELIGIBLE APPLICANT

any applicant who meets the eligibility criteria established in Rule 2.

FIRST-TIME FRESHMAN

any student currently enrolled as a first-year college student, who has never previously been enrolled as a first-year college student. High school students who complete their senior year of high school while enrolled in a community college or two/four-year college will be considered first-time freshmen in the first year of college work following high school graduation.

FULL-TIME STUDENT

twelve college credit hours or its equivalent per semester for students who are in their first semester of college, fifteen college credit hours or its equivalent per fall and spring semester for those students who are beyond their first semester in college. Those students in their eighth semester on the Academic Challenge Scholarship AND who are set to graduate at the end of that eighth semester shall be exempt from the fifteen (15) credit hour requirement.

INDEPENDENT STUDENT

a student who meets one of the following conditions:

Will be 24 years of age by December 31 of the application year;
or

Is a veteran of the U.S. Armed Forces; or

Is a ward of the court or both parents are dead; or

Has legal dependents other than a spouse; or

Is married and will not be claimed as an income tax exemption by his or her parents for the current year; or

Is determined to be independent by the financial aid officer at the institution the student plans to attend.

Professional Judgment

Authority of ADHE professional staff that allows for the special consideration of applications or renewal requests when situations exist that prohibit the student from meeting the exact guidelines as stated, when specific documentation provided by the student, high school, or approved institution shows that the student meets the objectives or purpose of the program.

Promissory Note

The Promissory Note is a legal document obligating the recipient to repay the loan if he or she does not perform one year of teaching service on a full-time basis in a public Arkansas school in an approved subject or geographic area, for every year they received an Academic Challenge Loan. The recipient's rights and responsibilities will be stated on the promissory note.

Skip Tracing

A process for locating a recipient who is in repayment status. ADHE's efforts may include contacting relatives, friends, references, and other individuals or entities in the recipient's file.

Teach on Full-time Basis

Teach the same number of hours required of teachers who have full-time contracts, as determined by the institution or agency in which an individual is teaching, for a minimum of one academic term, as defined by the institution or agency in which an individual is teaching.

TUITION

charges levied for attendance at an eligible institution of higher education including mandatory fees charged to all full-time students by the approved institution.

UNEMANCIPATED CHILD

a child who is claimed on a parent or guardian's income tax return as a dependent and does not meet any of the requirements of an independent student as defined above.

UNIT

the credit received for completion of:

1. One (1) year of a course in high school; one (1) semester of a course in high school is one half (1/2) unit.
2. One (1) semester of a three or four credit-hour course in college

ACADEMIC CHALLENGE SCHOLARSHIP PROGRAM

PART 2 (TRADITIONAL STUDENT)

RULE 1 – ORGANIZATION AND STRUCTURE

- I. The Arkansas Department of Higher Education (ADHE) shall administer the Arkansas Academic Challenge Scholarship Program within the policies set by the Arkansas Higher Education Coordinating Board. All formal communications shall be addressed to or signed by the Director of the Arkansas Department of Higher Education or his/her designee.
- II. The Director of the Arkansas Department of Higher Education has the final responsibility for selecting scholarship recipients pursuant to the provisions of Acts 352, 362 and 733 of 1991, Act 47 of 1992, Acts 720, 1170 and 1244 of 1993, Acts 188 and 228 of 1995, Act 858 of 1999, Acts 1612, 1664 and 1836 of 2001, Acts 1014, 2197, 2011 and 2214 of 2005, Acts 274 and 840 of 2007, Acts 606 and 1405 of 2009, Acts 265 and 294 of 2010, Act 207 of 2011, and Acts 234, 1106, 1173, and 1263 of 2013 and subsequent legislation, and program rules and regulations.
- III. The Arkansas Department of Higher Education shall follow the provisions of the Administrative Procedures Act when functioning under Acts 352, 362 and 733 of 1991, Act 47 of 1992, Acts 720, 1170 and 1244 of 1993, Acts 188 and 228 of 1995, Act 858 of 1999, Acts 1612, 1664, and 1836 of 2001, Act 1798 of 2003, Acts 1014, 2197, 2011 and 2214 of 2005, Acts 274 and 840 of 2007, Acts 606 and 1405 of 2009, Acts 265 and 294 of 2010, Act 207 of 2011, and Acts 234, 1106, 1173, and 1263 of 2013, and subsequent legislation.

RULE 2 – SCHOLARSHIP ELIGIBILITY CRITERIA

I. Eligibility Criteria

An applicant must meet the following requirements to be eligible to receive the Arkansas Academic Challenge Scholarship:

- A. The applicant must be a citizen of the United States or a lawful permanent resident.
- B. The applicant shall have been an Arkansas resident for at least the twelve (12) months immediately preceding the date the applicant will enroll in an approved institution of higher education or if the applicant is less than twenty-one (21) years of age, either the applicant or a parent or guardian of the applicant shall have maintained Arkansas residency for the same period of time. If the applicant is deployed outside of Arkansas under military orders, the ADHE shall calculate

the twelve (12) months by excluding months of military deployment outside of Arkansas that within the twelve (12) months immediately preceding the date the applicant will enroll in an approved institution of higher education and including the months the person maintained Arkansas residency immediately preceding the military deployment outside of Arkansas.

- C. The applicant shall have graduated from high school after December 31, 2009.
- D. The applicant must be accepted for admission and enrolled as a full-time, first-time freshman at an approved institution, as defined by the Department of Higher Education, on or before the fall semester of the academic year that begins immediately following graduation from high school unless ADHE has granted the student a scholarship hold.
- E. The applicant must be enrolled full-time, twelve (12) semester hours or the equivalent for the first fall semester following high school graduation and fifteen (15) semester hours or the equivalent every semester thereafter.
- F. The applicant must be enrolled in a program of study, which leads to or is creditable towards a baccalaureate degree. These programs include baccalaureate degree programs, associate degree programs, qualified certificate programs and nursing school diplomas.
- G. The applicant shall not owe a refund on a federal or state student financial aid grant for higher education, not be in default on a state or federal student financial aid loan for higher education, and not have borrowed, as determined by the approved institution of higher education to be attended, in excess of the annual loan limits under the Federal Family Educational Loan Program Systems, William D. Ford Federal Direct Loan Program, Income Contingent Loan Demonstration Program, Federal Stafford Loan Program, Parent Loan for Undergraduate Students Program, or Supplemental Loan for Students Program in the same academic year for which the student has applied for this scholarship under this subchapter.
- H. The applicant shall not be incarcerated at the time of the application for or during the time the applicant receives a scholarship.
- I. Applicants must certify that they are drug-free and must pledge to refrain from the use or abuse of illegal substances. This includes alcohol for applicants less than twenty-one years of age.
- J. Any male applicant under twenty-six years of age must file a Statement of Selective Service Status with the postsecondary education institution at which he is enrolled certifying that he has complied with the terms of the Military Selective Service Act before funds can be disbursed.

- K. Applicant must complete and submit to the U.S. Department of Education the Free Application for Federal Student Aid (FAFSA) or a subsequent application required by the U.S. Department of Education for federal financial aid.
- L. Applicant must meet one of the following criteria:
 - a. Graduate from an Arkansas public high school and successfully complete the Smart Core curriculum established by the Arkansas Department of Education; and either
 - i. Achieve at least a 2.5 HIGH SCHOOL GPA; or
 - ii. Achieve a minimum composite score of nineteen (19) on the ACT or the equivalent score on an ACT equivalent.
 - b. Applicant who has a disability identified under the Individuals with Disabilities Act, 20 U.S.C. § 1400 et seq., as it existed on July 1, 2009 and graduates from an Arkansas public high school but did not complete the Smart Core curriculum because the applicant's individualized education program under § 6-41-217 did not require it, shall achieve at least a 2.5 high school GPA; and either;
 - i. Achieve a minimum composite score of nineteen (19) on the ACT or the equivalent score on an ACT equivalent; or
 - ii. Score proficient or higher on all state-mandated end-of-course assessments, including without limitation, end-of-course assessments on:
 - a. Algebra I;
 - b. Geometry
 - c. Biology; and
 - d. Literacy, beginning with the 2013-2014 school year.
 - c. Achieve a minimum composite score of nineteen (19) on the ACT or the equivalent score on an ACT equivalent and:
 - i. Graduate from a private high school, an out-of-state high school, or a home school high school; or
 - ii. In the year in which the student would have been a junior or senior in high school, completed the requirements for high school graduation and obtained a General Educational Development certificate instead of receiving a diploma.
- M. A recipient of a Governor's Distinguished Scholarship is prohibited from receiving an Academic Challenge Scholarship.

IV. Continued Eligibility

Recipients must meet the following criteria in order to have their scholarship renewed:

- a. Maintain a 2.5 cumulative postsecondary GPA;

- b. Successfully complete twenty-seven (27) semester hours or the equivalent in the first year as a recipient and thirty (30) semester hours or the equivalent each academic year thereafter;
- c. Shall be continuously enrolled unless the Arkansas Department of Higher Education has approved a leave of absence.
- d. Meet the satisfactory academic progress standards required to receive other federal financial aid at the approved institution where enrolled;
- e. Successfully complete all remedial courses required within the first thirty (30) semester hours attempted after receiving the scholarship;
- f. Enroll in courses that lead toward a baccalaureate degree program after attempting the lesser of:
 - i. Five (5) semesters; or
 - ii. Completion of an associate degree program.

If the recipient becomes ineligible for the scholarship because the recipient's postsecondary grade point average or number of completed semester hours no longer meets the minimum criteria for the scholarship, the recipient may regain eligibility one (1) time in an academic year if the recipient completes the required number of hours and/or achieves a 2.5 cumulative grade point average during the summer term(s), at the recipient's own expense.

If the recipient does not successfully complete any credit hours toward degree completion in a semester in which he or she receives a scholarship immediately forfeits the remainder of the scholarship award for that academic year.

A recipient who meets the continuing eligibility requirements shall receive the scholarship for one (1) academic year renewable annually until the recipient first:

- 1. Earns a baccalaureate degree; or
- 2. (A) Has enrolled in eight (8) semesters at any approved institution as an undergraduate full-time student. A semester in which a student withdraws or fails to complete the number of credit hours for which the student first enrolled is counted toward the maximum number of semesters for which the student may receive a scholarship award. The maximum number of semesters applies to any degree program, regardless of whether or not the degree program requires additional semesters.

V. Literacy Tutoring

As an additional component to the Arkansas Academic Challenge

Scholarship:

- 1. Each applicant for the scholarship shall agree that for each year the scholarship is awarded he or she may volunteer to serve as a literacy tutor for a minimum of twenty (20) clock hours each semester in a public school or a faith based educational institution serving students in prekindergarten through grade six (preK-6);

2. A recipient who agrees to volunteer as a literacy tutor:
 - A. Shall complete the prerequisite training in literacy and college readiness skills provided under this section before he or she begins tutoring; and
 - B. May receive college credit for the tutoring as determined by the institution of higher education where the recipient is enrolled; and
3. An enrolled college student who participates in the tutorial program and fails to meet the academic eligibility requirement under this subchapter for the fall or spring semester shall be given the probationary opportunity during the subsequent spring or summer term to continue his or her education and improve academic performance before losing scholarship funding in the subsequent semester.

A recipient who agrees to volunteer as a literacy tutor under this section shall receive the prerequisite training in literacy and college readiness from an approved institution of higher education based on training modules developed by the Department of Education.

RULE 3 – APPLICATION PROCESS

I. Application

Students must submit an on-line application, available at the ADHE website.

II. Submission of Application and Application Deadline

The application deadline shall be June 1 of the calendar year in which a student graduates from high school. At its discretion, the ADHE may extend the deadline, provided sufficient notice is provided to the public. The applicant is responsible for submitting the application and all supporting documentation in a timely manner.

III. Amount of Scholarship

The Arkansas General Assembly sets award amounts annually. Once determined, the amounts will be posted on the ADHE website, www.adhe.edu.

IV. Award Notification and Prioritization of Awards

During times of funding shortages under the Academic Challenge Scholarship Program, the Department of Higher Education shall give priority to a recipient who has continuing eligibility superior to first-time applicants. If the funding is still insufficient, the department's selection criteria will consist of value points assigned to academic achievement measures and other criteria including: level of progress towards completion of a qualified certificate, nursing diploma, associate degree or a baccalaureate degree; enrollment in or intent to enroll in a program of study that is in an area of critical workforce need as determined by the department; or is in a science,

technology, engineering, or mathematics field; and postsecondary grade point average. Value points assigned to each selection criterion are weighted as follows:

Highest level of progress toward completion of a qualified certificate, nursing diploma, associate degree or a baccalaureate degree-----70%

High school or postsecondary grade point average, as applicable to the applicant (based on a 4.0 grading scale)-----20%

Enrollment in or intent to enroll (by declaring a major) in a program of study that is in an area of critical workforce need as determined by the department or is in a science, technology, engineering, or mathematics field-----10%

The Arkansas Department of Higher Education shall notify each eligible applicant of his/her award. The award notice includes the student's name, address, social security number, the actual amount the student is eligible to receive, and the student's first institutional choice as indicated on the application form. The award notice also explains the Arkansas Department of Higher Education's disbursement procedures and conditions of the Academic Challenge Scholarship.

V. Ineligible Notification

The Arkansas Department of Higher Education shall notify applicants who are determined to be ineligible and provide the reason for ineligibility. They will also be given instructions on how to correct any information on the application they believe to be incorrect.

VI. Incomplete Notification

Applicants who fail to submit complete applications, or who fail to supply the required documentation to process the application, will be classified as Incomplete. The Arkansas Department of Higher Education shall notify these students of their status. The Incomplete notice provides a list of the incomplete items and the actions necessary for completion.

RULE 4 – SCHOLARSHIP PAYMENT POLICIES

I. Limits of Payment

A. Payment of Scholarships

The Arkansas Department of Higher Education shall disburse scholarships to the approved institution of the student's choice. The Arkansas Department of Higher Education shall send funds to the institution via electronic funds transfer or state

warrant. After verification of full-time enrollment, the institution will disburse the scholarship to the student according to the institution's disbursement procedures. The scholarship payment will correspond to academic terms, semesters, quarters, or equivalent time periods at the eligible institution. In no instance may the entire amount of the scholarship disbursement for an educational year be paid to or on behalf of such student in advance.

B. Transfer of Scholarships to Another Approved Institution

A recipient who has received an Academic Challenge Scholarship may transfer the scholarship to another approved Arkansas institution of higher education, provided that:

1. The student notifies the Arkansas Department of Higher Education-of the change of status by October 1 for the fall term and by February 1 for the winter and/or spring terms;

If transferring institutions between the Fall and Spring terms, the student shall submit an official transcript to ADHE.

C. Withdrawal Policy

A recipient shall be continuously enrolled unless the Arkansas Department of Higher Education has approved a leave of absence/scholarship hold. The department shall allow a student to withdraw from the Arkansas Academic Challenge Scholarship Program for no more than one (1) year due to:

1. A medical condition of the recipient or a member of the recipient's immediate family that, on the basis of a physician's good-faith judgment, necessitates the student or the student's immediate family member to be hospitalized or receive outpatient or home-based medical care or recuperation until released by the attending physician;
2. A personal or family emergency that requires the student to:
 - a. Attend the funeral of an immediate family member; or
 - b. Visit a relative of the student if the relative has a medical condition in which death is possible or imminent;
3. Military service (also see Section F);
4. A commitment for twelve (12) to twenty-four (24) months of:
 - a. Service in a national or international humanitarian project sponsored by a nonprofit corporation organized with a charitable or educational purpose;
 - b. The student's commitment shall be expressed in a written agreement with the nonprofit organization including the terms of completion for the student's service on the related project;

- c. The department shall release a scholarship hold if the department determines that the student did not complete the commitment under the written agreement; or
5. Any other reason approved by the Arkansas Department of Higher Education

The recipient must submit a written petition for withdrawal. The petition shall give the reason for withdrawal and be supported by documentation. In the absence of extraordinary circumstances, the award will be revoked if the recipient fails to enroll full-time in an eligible institution in Arkansas, and the Arkansas Department of Higher Education receives neither notification of transfer of the scholarship to another eligible institution, nor a petition for withdrawal by the recipient by October 1 for the fall term and February 1 for the winter and/or spring terms. At the discretion of the Department of Higher Education, the award will not be revoked if it is determined by ADHE that extraordinary circumstances prevented the student from notifying ADHE by the required dates.

D. Renewal of Scholarship

A recipient who meets the continuing eligibility requirements shall receive the scholarship for one (1) academic year renewable annually until the recipient first:

1. Earns a baccalaureate degree;
2. (A) Attempts a total of one hundred thirty (130) semester hours in eight (8) semesters at any approved institution as an undergraduate full-time student.
(B) If the recipient's undergraduate degree requires additional hours, the Department of Higher Education, in conjunction with the approved institution where the recipient is enrolled, shall determine the maximum period of time for renewal of the scholarship.

Those recipients who are set to graduate with their bachelor's degree at the end of their current semester of funding shall be exempt from the fifteen (15) credit hour requirement.

A student may not use these funds for educational purposes beyond the baccalaureate degree.

E. Cancellation of the Scholarship

1. The award will be terminated for any of the following reasons:
 - a) Failure to maintain a 2.5 cumulative grade point average on a 4.0 scale and/or successfully complete twenty seven (27) semester hours or the equivalent in the first academic year as a recipient

and thirty (30) semester hours or the equivalent every academic year thereafter.

- b) Failure to meet the continuously enrolled requirements.
- c) Completion of a first baccalaureate degree.
- d) Attempts a total of one hundred thirty semester (130) hours in eight (8) semesters at any approved institution unless degree requires additional hours.
- e) Incarceration and/or violation of the drug-free pledge.

2. The recipient is responsible for notifying the Arkansas Department of Higher Education of any change in status (i.e., transfer to another eligible institution in Arkansas, change in name, etc.) before appropriate deadline dates. Failure to provide notification may result in the cancellation of the scholarship for that term.

F. Military Service

Recipients who are members of the Arkansas National Guard or Armed Forces Reserve units who are called to active duty for reasons other than regular unit training and are unable to complete the current term will be allowed to repeat the missed term without loss of scholarship credit. In addition, they will be placed in deferred status until six months after release from active duty, at which time they must be re-enrolled in an approved institution.

G. Repayment of Scholarships

If the recipient of a scholarship withdraws, drops out, or is expelled on or after the first day of class of a payment period, the institution will determine whether the student received an overpayment of financial aid funds for noninstitutional expenses. Overpayment is the difference between the amount received as cash disbursements and the amount incurred for non-institutional costs during the portion of the payment period that the student was actually enrolled. It is the institution's responsibility to contact students and recover overpayments.

H. Refunds

The Arkansas Academic Challenge Scholarship Program is entitled to a refund of the scholarship or loan amount, for that semester, if the recipient of a scholarship or loan withdraws, drops out, or is expelled on or after his or her first day of class of the payment period and the situation falls under the refund policy of the institution. The institution shall pay the refund to the Arkansas Department of Higher Education.

I. Overpayment

If the award of an Arkansas Academic Challenge Scholarship results in an overpayment to the student according to the state law (Arkansas Code § 6-80-105) governing the stacking of scholarships, the institution shall follow the ADHE Stacking policy in reducing the student's financial package to prevent the student from receiving funds above the federally recognized cost of attendance.

RULE 5 – INSTITUTIONAL RESPONSIBILITIES

I. College/University Responsibilities

A. Administrative Agreement

The chief executive officer of the eligible institution is responsible for appointing one representative from the financial aid office to act as administrator of the Arkansas Academic Challenge Scholarship Program and to receive all communications, forms, etc. This representative is responsible for verification, data and compliance with all program rules and regulations. The institution must comply with all rules and regulations in order to maintain continued eligibility status.

B. Disbursement Records

The institution shall maintain information on the student indicating disbursement of scholarship funds.

C. Institutional Verification

The institution shall provide certification of full-time enrollment and enrollment in courses that will meet satisfactory academic progress standards, as of the eleventh day of classes, by completing a Verification Roster each semester after registration. The Verification Roster is an alphabetical listing by institution of all persons receiving the award for a given academic term. The certifying official is responsible for completing the verification rosters each semester or trimester. The Arkansas Department of Higher Education shall provide electronic Verification Rosters to the Financial Aid Administrator for each semester or trimester as needed. The electronic Verification Rosters shall be returned to the Arkansas Department of Higher Education by November 1 for the fall term and by March 15 for the spring term. Students who are enrolled less than full-time in the current term shall not receive scholarship benefits in that term. The Arkansas Department of Higher Education shall also provide electronic continuing eligibility rosters to the Financial Aid Administrator before the end of the spring term. The continuing eligibility rosters shall be returned to the Arkansas

Department of Higher Education no later than June 1 to ensure that adequate time is provided to notify students of their status in the program.

D. Deadlines for Disbursement of Funds

The deadline for disbursement of funds is no later than 10 days after receipt of funds. Any outstanding funds not disbursed by these dates must be returned to the Arkansas Department of Higher Education. For those students whose applications are received by ADHE too late to allow disbursement by these dates, disbursement will be made within 10 working days of receipt of the verification roster and electronic transfer of funds.

E. Due Diligence

The institution will exercise due diligence in providing complete, accurate, and timely information as requested by the Arkansas Department of Higher Education on any Arkansas Academic Challenge Scholarship recipient or former recipient. In addition, the institution will exercise due diligence in complying with all the rules and regulations of the Arkansas Academic Challenge Scholarship Program. The Arkansas Department of Higher Education shall periodically review the institution's records concerning this program in an effort to exercise its due diligence requirements as a steward of state funds.

RULE 6 – SCHOLARSHIP RECIPIENT’S RESPONSIBILITIES

I. Arkansas Academic Challenge Scholarship Award Recipient's Responsibilities

It is the recipient's responsibility to notify the Arkansas Department of Higher Education of any change in status within 21 days. This will include:

- Change in name
- Change in address
- Change in institution
- Change in full-time status (twelve college credit hours for those students who are in their first fall semester following high school graduation, fifteen college credit hours for those students who are beyond the first fall semester following high school graduation)

Failure to notify the Arkansas Department of Higher Education of a change of status may affect future eligibility.

RULE 7 – PROGRAM DEFINITIONS

The following definitions are used in the Arkansas Academic Challenge Program:

<i>ACADEMIC YEAR</i>	fall semester, spring semester, and first and second summer terms in that order.
<i>ACT</i>	the ACT Assessment administered by ACT, Inc.
<i>ACT EQUIVALENT</i>	the Scholastic Aptitude Test (SAT), COMPASS, ASSET Accuplacer, or other nationally normed test that is correlated with the ACT and approved by the Department of Higher Education for use by institutions of higher education to assess a person's college readiness
<i>APPROVED INSTITUTION</i>	<p>an institution of higher education approved by the Department of Higher Education that is:</p> <ul style="list-style-type: none"> e. A state-supported two-year or four-year college or university; f. A private, nonprofit two-year or four-year college or university with its primary headquarters located in Arkansas that is eligible to receive Title IV federal student aid funds; or g. An approved school of nursing.
<i>APPROVED SCHOOL OF NURSING</i>	<p>a school of nursing with its primary headquarters located in Arkansas that:</p> <ul style="list-style-type: none"> a. prepares students as registered nurses; b. grants nursing diplomas; c. is eligible to participate in Title IV federal student aid programs; d. has been approved by the Arkansas State Board of Nursing; e. has been approved by the Department of Higher Education as eligible to participate; and f. is not a two-year or four-year college or university.
<i>ARKANSAS RESIDENT</i>	<p>a natural person who provides evidence to ADHE that:</p> <p>(A) For twelve (12) months prior to enrollment in an approved institution of higher education, the recipient and/or recipient's parents or guardians claiming Arkansas residency:</p> <ul style="list-style-type: none"> i. Maintained a permanent home in Arkansas where the person resides for an average of no less than four (4) days and nights per calendar week; and ii. Either: <ul style="list-style-type: none"> (a) Is an Arkansas registered voter; (b) Holds a valid Arkansas motor vehicle driver's license;

- (c) Receives benefits under an Arkansas public assistance program;
- (d) Uses an Arkansas residence address for federal or state tax purposes; or
- (e) Claims Arkansas as a residence to hold public office or for judicial actions; or

(B) Before the deadline for filing a scholarship application the applicant is:

- i. On active military status;
- ii. Qualifies for in-state tuition and fees due to being an unemancipated dependent of an armed forces member stationed in Arkansas;

CITIZEN

a person who is a U.S. citizen or a lawful permanent resident. If the recipient is not a U.S. citizen, but a lawful permanent resident, the recipient must submit a copy of the lawful permanent resident form I-151, I-551, I-94, or G-641 to the application.

CONTINUOUSLY ENROLLED

traditional student that successfully completes twenty seven (27) semester hours at an approved institution of higher education in the first academic year as a recipient and successfully completes thirty (30) semester hours at an approved institution of higher education each academic year thereafter, not including summer terms.

COST OF ATTENDANCE

An estimate of a student's educational expenses that is designed to provide an accurate projection of the reasonable costs for the period of enrollment. Allowable cost include tuition and fees, room and board, books, supplies, transportation, disability expenses, loan fees, dependent care, study abroad expenses and miscellaneous expenses. Standard cost of attendance will vary for different categories of students. Institutions must maintain written documentation supporting the determined cost of attendance.

ELIGIBLE APPLICANT

any applicant who meets the eligibility criteria established in Rule 2.

END-OF- COURSE ASSESSMENT

an examination taken at the completion of a course of study to determine whether a student demonstrates attainment of the knowledge and skills necessary for mastery of that subject.

<i>ENROLLED</i>	the approved institution of higher education where the student is attending class counts the student as enrolled for the hours claimed on the last day to add or drop a class.
<i>FIRST-TIME FRESHMAN</i>	any student currently enrolled as a first-year college student, who has never previously been enrolled as a first-year college student. High school students who complete their senior year of high school while enrolled in a two/four-year college will be considered first-time freshmen in the first year of college work following high school graduation.
<i>FULL-TIME STUDENT</i>	twelve college credit hours or its equivalent per semester for students who are in the first fall semester of college, fifteen college credit hours or its equivalent per fall and spring semester for those students who are beyond their first fall semester in college. Those students who are set to graduate with a bachelor's degree at the end of a semester shall be exempt from the fifteen (15) credit hour requirement.
<i>HIGH SCHOOL GPA</i>	the numbered grade averaged on a student's high school transcript calculated using the first seven (7) of the last eight (8) semesters the student completed prior to graduating high school.
<i>INCARCERATION</i>	serving or being sentenced to serve time in confinement in a jail or prison; imprisonment. Incarceration will result in ineligibility for the Academic Challenge Scholarship.
<i>LAWFUL PERMANENT RESIDENT</i>	a non-United States citizen who resides in the United States under a legally recognized and lawfully recorded permanent residence.
<i>POSTSECONDARY GPA</i>	the cumulative numbered grade average for college credit courses as calculated using a 4.0 scale.
<i>PROFESSIONAL JUDGMENT</i>	authority of ADHE professional staff that allows for the special consideration of applications or renewal requests when situations exist that prohibit the student from meeting the exact guidelines as stated, when specific documentation provided by the student, high school, or approved institution shows that the student meets the objectives or purpose of the program.
<i>QUALIFIED CERTIFICATE PROGRAM</i>	a program that is: (A) Offered by an approved institution of higher education; (B) For which credit hours are awarded that are creditable toward and associate degree; and

(C) Recognized by the U.S. Department of Education for financial aid purposes.

RECIPIENT an applicant awarded a scholarship funded through the program.

Scholarship Hold the temporary suspension of a scholarship award to a traditional student

Semester one-half (1/2) of a traditional academic year at an institution of higher education , or an equivalent approved by ADHE, in which a student enrolls for not less than:
(A). Fifteen (15) credit hours as a full-time student, except that in the first semester as a first-time full-time freshman, a traditional student shall enroll in not less than twelve (12) credit hours; or
(B) Six (6) credit hours as a part-time student.

Smart Core the college and career readiness curriculum by that name under the rules of the State Board of Education or a college and career readiness curriculum that is established by rules of the state board in coordination with ADHE and substituted for the curriculum named "Smart Core."

Successfully Completed that a student completed a course at an institution of higher education and received the equivalent of a minimum letter grade of "D"

TRADITIONAL STUDENT a student who will enter postsecondary education as a full-time, first-time freshman on or before the fall semester of the academic year after graduating from high school or a student that completed the General Educational Development certificate and enters as a full-time, first-time freshman on or before the last day of the school year that would have been the student's junior or senior year of high school and remains continuously enrolled as a full-time student unless granted a scholarship hold by ADHE. Does not include students awarded as a current achiever student.

ACADEMIC CHALLENGE SCHOLARSHIP PROGRAM

PART 2 (CURRENT ACHIEVER STUDENT)

RULE 1 – ORGANIZATION AND STRUCTURE

- I. The Arkansas Department of Higher Education (ADHE) shall administer the Arkansas Academic Challenge Scholarship Program within the policies set by the Arkansas Higher Education Coordinating Board. All formal communications shall be addressed to or signed by the Director of the Arkansas Department of Higher Education or his/her designee.
- II. The Director of the Arkansas Department of Higher Education has the final responsibility for selecting scholarship recipients pursuant to the provisions of Acts 352, 362 and 733 of 1991, Act 47 of 1992, Acts 720, 1170 and 1244 of 1993, Acts 188 and 228 of 1995, Act 858 of 1999, Acts 1612, 1664 and 1836 of 2001, Acts 1014, 2197, 2011 and 2214 of 2005, Acts 274 and 840 of 2007, Acts 606 and 1405 of 2009, Acts 265 and 294 of 2010, Act 207 of 2011 and subsequent legislation, and program rules and regulations.
- III. The Arkansas Department of Higher Education shall follow the provisions of the Administrative Procedures Act when functioning under Acts 352, 362 and 733 of 1991, Act 47 of 1992, Acts 720, 1170 and 1244 of 1993, Acts 188 and 228 of 1995, Act 858 of 1999, Acts 1612, 1664, and 1836 of 2001, Act 1798 of 2003, Acts 1014, 2197, 2011 and 2214 of 2005, Acts 274 and 840 of 2007, Acts 606 and 1405 of 2009, Acts 265 and 294 of 2010, Act 207 of 2011 and subsequent legislation.

RULE 2 – SCHOLARSHIP ELIGIBILITY CRITERIA

I. Eligibility Criteria

An applicant must meet the following requirements to be eligible to receive the Arkansas Academic Challenge Scholarship:

- A. The applicant must be a citizen of the United States or a lawful permanent resident.
- B. The applicant shall have been an Arkansas resident for at least the twelve (12) months immediately preceding the date the applicant will enroll in an approved institution of higher education, or if the applicant is less than twenty-one (21) years of age, either the applicant or a parent or guardian of the applicant shall have maintained Arkansas residency for the same period of time.

- C. The applicant must have entered postsecondary education before the 2010-2011 academic year as a full-time, first-time freshman within twelve (12) months of graduation from high school.
- D. The applicant has been continuously enrolled at an institution of higher education since entering an institution of higher education. Continuously enrolled requires the successful completion of at least twelve (12) semester hours of courses in consecutive semesters before receiving this scholarship. ADHE may waive this requirement due to the applicant's full-time duty in the active uniformed service of the United States, including members of the National Guard and reserve components of the armed forces on active duty orders.
- E. The applicant has successfully completed at least twelve (12) semester hours of courses granting three (3) or more hours of credit per course at an approved institution of higher education. A course granting less than three (3) hours of credit may be counted toward the twelve (12) semester credit hours if it is related to a credit course required for a degree.
- F. The applicant has achieved a cumulative postsecondary grade point average of at least a 2.5.
- G. The recipient must be enrolled full-time, fifteen (15) semester hours or the equivalent every semester, not including a summer term.
- H. The applicant must be enrolled in a program of study, which leads to or is creditable towards a baccalaureate degree. These programs include baccalaureate degree programs, associate degree programs, qualified certificate programs and nursing school diplomas.
- I. The applicant shall not owe a refund on a federal or state student financial aid grant for higher education, not be in default on a state or federal student financial aid loan for higher education, and not have borrowed, as determined by the approved institution of higher education to be attended, in excess of the annual loan limits under the Federal Family Educational Loan Program Systems, William D. Ford Federal Direct Loan Program, Income Contingent Loan Demonstration Program, Federal Stafford Loan Program, Parent Loan for Undergraduate Students Program, or Supplemental Loan for Students Program in the same academic year for which the student has applied for this scholarship under this subchapter.
- J. The applicant shall not be incarcerated at the time of the application for or during the time the applicant receives a scholarship.
- K. Applicants must certify that they are drug-free and must pledge to refrain from the use or abuse of illegal substances. This includes alcohol for applicants less than twenty-one years of age.

- L. Any male applicant under twenty-six years of age must file a Statement of Selective Service Status with the postsecondary education institution at which he is enrolled certifying that he has complied with the terms of the Military Selective Service Act before funds can be disbursed.
- M. Applicant must complete and submit to the U.S. Department of Education the Free Application for Federal Student Aid (FAFSA) or a subsequent application required by the U.S. Department of Education for federal financial aid.
- N. A recipient of a Governor's Distinguished Scholarship is prohibited from receiving an Academic Challenge Scholarship.
- O. Applicant cannot have:
 - 1. Earned a baccalaureate degree;
 - 2. Completed one hundred thirty (130) semester hours of credit at an institution of higher education;
 - 3. For award at a two-year college, cannot have earned an associate degree; or
 - 4. For award at a two-year college, cannot have completed sixty-six (66) semester hours of credit at an institution of higher education.

II. Continued Eligibility

Recipients must meet the following criteria in order to have their scholarship renewed:

- a. Maintain a 2.5 cumulative postsecondary GPA;
- b. Successfully complete at least fifteen (15) semester hours of courses in consecutive semesters, not including a summer term;
- c. Shall be continuously enrolled unless the Arkansas Department of Higher Education has approved a leave of absence.
- d. Meet the satisfactory academic progress standards required to receive other federal financial aid at the approved institution where enrolled;
- e. Successfully complete all remedial courses required within the first thirty (30) semester hours attempted after receiving the scholarship;
- f. Enroll in courses that lead toward a baccalaureate degree program after attempting the lesser of:
 - i. Sixty-six (66) semester hours; or
 - ii. Completion of an associate degree program, unless the number of hours required to complete the associate's degree program exceeds sixty-six (66) semester hours, in which case, the higher number of hours for completion shall be used.

If the recipient becomes ineligible for the scholarship because the recipient's postsecondary grade point average or number of completed semester hours no longer meets the minimum criteria for the scholarship, the recipient may regain

eligibility one (1) time in an academic year if the recipient completes the required number of hours and/or achieves a 2.5 cumulative grade point average during the summer term(s), at the recipient's own expense.

A recipient who meets the continuing eligibility requirements shall receive the scholarship for one (1) academic year renewable annually until the recipient first:

1. Earns a baccalaureate degree; or
2. (A) Attempts a total of one hundred thirty (130) semester hours in eight (8) semesters at any approved institution as an undergraduate full-time student.
(B) If the recipient's undergraduate degree requires additional hours, the Department of Higher Education, in conjunction with the approved institution where the recipient is enrolled, shall determine the maximum period of time for renewal of the scholarship.

III. Literacy Tutoring

As an additional component to the Arkansas Academic Challenge Scholarship:

1. Each applicant for the scholarship shall agree that for each year the scholarship is awarded he or she may volunteer to serve as a literacy tutor for a minimum of twenty (20) clock hours each semester in a public school or a faith-based educational institution serving students in prekindergarten through grade six (preK-6);
2. A recipient who agrees to volunteer as a literacy tutor:
 - A. Shall complete the prerequisite training in literacy and college readiness skills provided under this section before he or she begins tutoring; and
 - B. May receive college credit for the tutoring as determined by the institution of higher education where the recipient is enrolled; and
3. An enrolled college student who participates in the tutorial program and fails to meet the academic eligibility requirement under this subchapter for the fall or spring semester shall be given the probationary opportunity during the subsequent spring or summer term to continue his or her education and improve academic performance before losing scholarship funding in the subsequent semester.

A recipient who agrees to volunteer as a literacy tutor under this section shall receive the prerequisite training in literacy and college readiness from an approved institution of higher education based on training modules developed by the Department of Education.

RULE 3 – APPLICATION PROCESS

I. Application

Students must submit an on-line application, available at the ADHE website.

II. Submission of Application and Application Deadline

The application deadline shall be June 1. At its discretion, the ADHE may extend the deadline, provided sufficient notice is provided to the public. The applicant is responsible for submitting the application and all supporting documentation in a timely manner.

III. Amount of Scholarship

The scholarship award for a full-time student enrolled in one (1) of the following institutions of higher education is one-half (1/2) of the scholarship award amount for a full-time undergraduate student enrolled in a four-year approved institution of higher education:

1. A two-year approved institution of higher education;
2. A branch campus of a four-year approved institution of higher education; or
3. An approved nursing school.

IV. Award Notification and Prioritization of Awards

During times when there exist a funding shortage to provide scholarships to all eligible current achiever applicants, the Department of Higher Education shall give priority to a recipient who has met continuing eligibility requirements prior to receipt of a scholarship by a first-time applicant. In the event that funding is still insufficient, the department's selection criteria will consist of value points assigned to academic achievement measures and other criteria including: level of progress towards completion of a qualified certificate, nursing diploma, associate degree or a baccalaureate degree; enrollment in or intent to enroll in a program of study that is in an area of critical workforce need as determined by the department; or is in a science, technology, engineering, or mathematics field; and postsecondary grade point average. Value points assigned to each selection criterion are weighted as follows:

Highest level of progress toward completion of a qualified certificate, nursing diploma, associate degree or a baccalaureate degree -----70%

Postsecondary grade point average (based on a 4.0 grading scale) --20%

Enrollment in or intent to enroll (by declaring a major) in a program of study that is in an area of critical workforce need as determined by the department or is in a science, technology, engineering, or mathematics field-----10%

The Arkansas Department of Higher Education shall notify each eligible applicant of his/her award. The award notice includes the student's name, address, social security number, the actual amount the student is eligible to receive, and the student's first institutional choice as indicated on the application form. The award notice also explains the Arkansas Department of Higher Education's disbursement procedures and conditions of the Academic Challenge Scholarship.

The recipient, or the recipient's parent or guardian(s) if the recipient is less than 18 years of age, receiving state-supported student financial assistance shall complete and sign a consent form opting-in or opting-out of authorizing the release of the student's individual information to the Bureau of Legislative Research. Opting-out of the release of information to the Bureau of Legislative Research will not affect a student's eligibility for financial aid.

The information consented to be released by the student shall include:

1. A unique identifier;
2. Status for the Federal Pell Grant;
3. Postsecondary grade point average;
4. Number of semester hours attempted;
5. Number of semester hours completed;
6. Gender, race, ethnicity, and age;
7. High school graduated from or General Educational Development test score;
8. High school grade point average;
9. ACT score or ACT equivalent score, if available.

The consent does not authorize the release of the student's or the student's parents' name, address, or income.

This information will be used to guide the Arkansas General Assembly's evaluation of the need for adjustments to scholarship programs and funding levels.

V. Ineligible Notification

The Arkansas Department of Higher Education shall notify applicants who are determined to be ineligible and provide the reason for ineligibility. They will also be given instructions on how to correct any information on the application they believe to be incorrect.

VI. Incomplete Notification

Applicants who fail to submit complete applications, or who fail to supply the required documentation to process the application, will be classified as Incomplete. The

Arkansas Department of Higher Education shall notify these students of their status. The Incomplete notice provides a list of the incomplete items and the actions necessary for completion.

RULE 4 – SCHOLARSHIP PAYMENT POLICIES

I. Limits of Payment

A. Payment of Scholarships

The Arkansas Department of Higher Education shall disburse scholarship to the approved institution of the student's choice. The Arkansas Department of Higher Education shall send funds to the institution via electronic funds transfer or state warrant. After verification of full-time enrollment, the institution will disburse the scholarship to the student according to the institution's disbursement procedures. The scholarship payment will correspond to academic terms, semesters, quarters, or equivalent time periods at the eligible institution. In no instance may the entire amount of the scholarship disbursement for an educational year be paid to or on behalf of such student in advance.

B. Transfer of Scholarships to Another Approved Institution

A recipient who has received an Academic Challenge Scholarship may transfer the scholarship to another approved Arkansas institution of higher education, provided that:

1. The student notifies the Arkansas Department of Higher Education of the change of status by October 1 for the fall term and by February 1 for the winter and/or spring terms;
2. If transferring institutions between the Fall and Spring terms, the student shall submit an official transcript to ADHE.

C. Withdrawal Policy

A recipient shall be continuously enrolled unless the Arkansas Department of Higher Education has approved a leave of absence. The department shall allow a student to withdraw from the Arkansas Academic Challenge Scholarship Program for no more than one (1) year due to:

1. A medical condition of the recipient or a member of the recipient's immediate family that, on the basis of a physician's good-faith judgment, necessitates the student or the student's immediate family member to be hospitalized or receive outpatient or home-based medical care or recuperation until released by the attending physician;

2. A personal or family emergency that requires the student to:
 - a. Attend the funeral of an immediate family member; or
 - b. Visit a relative of the student if the relative has a medical condition in which death is possible or imminent;
3. Military service (also see Section F);
4. A commitment for twelve (12) to twenty-four (24) months ~~or~~ of:
 - a. Service in a national or international humanitarian project sponsored by a nonprofit corporation organized with a charitable or educational purpose;
 - b. The student's commitment shall be expressed in a written agreement with the nonprofit organization including the terms of completion for the student's service on the related project;
 - c. The department shall release a scholarship hold if the department determines that the student did not complete the commitment under the written agreement; or
5. Any other reason approved by the Arkansas Department of Higher Education

The recipient must submit a written petition for withdrawal. The petition shall give the reason for withdrawal and be supported by documentation. In the absence of extraordinary circumstances, the award will be revoked if the recipient fails to enroll full-time in an eligible institution in Arkansas, and the Arkansas Department of Higher Education receives neither notification of transfer of the scholarship to another eligible institution, nor a petition for withdrawal by the recipient by October 1 for the fall term and February 1 for the winter and/or spring terms. At the discretion of the Department of Higher Education, the award will not be revoked if it is determined by ADHE that extraordinary circumstances prevented the student from notifying ADHE by the required dates.

D. Renewal of Scholarship

A recipient who meets the continuing eligibility requirements shall receive the scholarship for one (1) academic year renewable annually until the recipient first:

1. Earns a baccalaureate degree;
2. (A) Attempts a total of one hundred thirty (130) semester hours in eight (8) semesters at any approved institution as an undergraduate full-time student.
(B) If the recipient's undergraduate degree requires additional hours, the Department of Higher Education, in conjunction with the approved institution where the recipient is enrolled, shall determine the maximum period of time for renewal of the scholarship.

Those recipients who are set to graduate with their bachelor's degree at the end of their current semester of funding shall be exempt from the fifteen (15) credit hour requirement.

A student may not use these funds for educational purposes beyond the baccalaureate degree.

E. Cancellation of the Scholarship

1. The award will be terminated for any of the following reasons:
 - a) Failure to maintain a 2.5 cumulative grade point average on a 4.0 scale and/or failure to successfully complete at least fifteen (15) semester hours of courses in consecutive semesters, not including summer terms.
 - b) Failure to maintain continued eligibility requirements.
 - c) Completion of a first baccalaureate degree.
 - d) Attempts a total of one hundred thirty semester (130) hours in eight (8) semesters at any approved institution unless degree requires additional hours.
 - e) Incarceration and/or violation of the drug-free pledge.
2. The recipient is responsible for notifying the Arkansas Department of Higher Education of any change in status (i.e. transfer to another eligible institution in Arkansas, change in name, etc.) before appropriate deadline dates. Failure to provide notification may result in the cancellation of the scholarship for that term.

F. Military Service

Recipients who are members of the Arkansas National Guard or Armed Forces Reserve units who are called to active duty for reasons other than regular unit training and are unable to complete the current term will be allowed to repeat the missed term without loss of scholarship credit. In addition, they will be placed in deferred status until six months after release from active duty, at which time they must be re-enrolled in an approved institution.

G. Repayment of Scholarships

If the recipient of a scholarship withdraws, drops out, or is expelled on or after the first day of class of a payment period, the institution will determine whether the student received an overpayment of financial aid funds for noninstitutional expenses. Overpayment is the difference between the amount received as cash

disbursements and the amount incurred for non-institutional costs during the portion of the payment period that the student was actually enrolled. It is the institution's responsibility to contact students and recover overpayments.

H. Refunds

The Arkansas Academic Challenge Scholarship Program is entitled to a refund of the scholarship or loan amount, for that semester, if the recipient of a scholarship or loan withdraws, drops out, or is expelled on or after his or her first day of class of the payment period and the situation falls under the refund policy of the institution. The institution shall pay the refund to the Arkansas Department of Higher Education.

I. Overpayment

If the award of an Arkansas Academic Challenge Scholarship results in an overpayment to the student according to the state law (Arkansas Code § 6-80-105) governing the stacking of scholarships, the institution shall follow the ADHE Stacking policy in reducing the student's financial package to prevent the student from receiving funds above the federally recognized cost of attendance.

RULE 5 – INSTITUTIONAL RESPONSIBILITIES

I. College/University Responsibilities

A. Administrative Agreement

The chief executive officer of the eligible institution is responsible for appointing one representative from the financial aid office to act as administrator of the Arkansas Academic Challenge Scholarship Program and to receive all communications, forms, etc. This representative is responsible for verification, data and compliance with all program rules and regulations. The institution must comply with all rules and regulations in order to maintain continued eligibility status.

B. Disbursement Records

The institution shall maintain information on the student indicating disbursement of scholarship funds.

C. Institutional Verification

The institution shall provide certification of full-time enrollment and enrollment in courses that will meet satisfactory academic progress standards, as of the

eleventh day of classes, by completing a Verification Roster each semester after registration. The Verification Roster is an alphabetical listing by institution of all persons receiving the award for a given academic term. The certifying official is responsible for completing the verification rosters each semester or trimester. The Arkansas Department of Higher Education shall provide electronic Verification Rosters to the Financial Aid Administrator for each semester or trimester as needed. The electronic Verification Rosters shall be returned to the Arkansas Department of Higher Education by November 1 for the fall term and by March 15 for the spring term. Students who are enrolled less than full-time in the current term shall not receive scholarship benefits in that term. The Arkansas Department of Higher Education shall also provide electronic continuing eligibility rosters to the Financial Aid Administrator before the end of the spring term. The continuing eligibility rosters shall be returned to the Arkansas Department of Higher Education no later than June 1 to ensure that adequate time is provided to notify students of their status in the program.

D. Deadlines for Disbursement of Funds

The deadline for disbursement of funds is no later than 10 days after receipt of funds. Any outstanding funds not disbursed by these dates must be returned to the Arkansas Department of Higher Education. For those students whose applications are received by ADHE too late to allow disbursement by these dates, disbursement will be made within 10 working days of receipt of the verification roster and electronic transfer of funds.

E. Due Diligence

The institution will exercise due diligence in providing complete, accurate, and timely information as requested by the Arkansas Department of Higher Education on any Arkansas Academic Challenge Scholarship recipient or former recipient. In addition, the institution will exercise due diligence in complying with all the rules and regulations of the Arkansas Academic Challenge Scholarship Program. The Arkansas Department of Higher Education shall periodically review the institution's records concerning this program in an effort to exercise its due diligence requirements as a steward of state funds.

RULE 6 – SCHOLARSHIP RECIPIENT’S RESPONSIBILITIES

I. Arkansas Academic Challenge Scholarship Award Recipient's Responsibilities

It is the recipient's responsibility to notify the Arkansas Department of Higher Education of any change in status within 21 days. This will include:

- Change in name
- Change in address

- Change in institution
- Change in full-time status (twelve college credit hours for those students who are in their first fall semester following high school graduation, fifteen college credit hours for those students who are beyond the first fall semester following high school graduation)

Failure to notify the Arkansas Department of Higher Education of a change of status may affect future eligibility.

RULE 7 – PROGRAM DEFINITIONS

The following definitions are used in the Arkansas Academic Challenge Program:

<i>ACADEMIC YEAR</i>	fall semester, spring semester, and first and second summer terms in that order.
<i>APPROVED INSTITUTION</i>	<p>an institution of higher education approved by the Department of Higher Education that is:</p> <ul style="list-style-type: none"> h. A state-supported two-year or four-year college or university; i. A private, nonprofit two-year or four-year college or university with its primary headquarters located in Arkansas that is eligible to receive Title IV federal student aid funds; or j. An approved school of nursing.
<i>APPROVED SCHOOL OF NURSING</i>	<p>a school of nursing with its primary headquarters located in Arkansas that:</p> <ul style="list-style-type: none"> g. prepares students as registered nurses; h. grants nursing diplomas; i. is eligible to participate in Title IV federal student aid programs; j. has been approved by the Arkansas State Board of Nursing; k. has been approved by the Department of Higher Education as eligible to participate; and l. is not a two-year or four-year college or university.
<i>ARKANSAS RESIDENT</i>	to be considered an Arkansas resident by ADHE, a recipient and/or a recipient's parents or guardians must be an Arkansas resident for twelve (12) months prior to enrollment at an approved institution of higher education. Further, the recipient and/or recipient's parents or guardians claiming Arkansas residency may be asked to provide evidence of a permanent

connection with the State of Arkansas. ADHE will look to one or more of the following to determine residency in those cases:

- (A) Information from FAFSA;
- (B) Valid Arkansas Driver's License;
- (C) Proof of payment for Arkansas personal and/or real taxes for previous year;
- (D) Proof of Arkansas vehicle registration;
- (E) Proof of Arkansas voter registration; and
- (F) Other forms of proof of Arkansas residency.

CITIZEN

a person who is a U.S. citizen or a lawful permanent resident. If the recipient is not a U.S. citizen, but a lawful permanent resident, the recipient must submit a copy of the lawful permanent resident form I-151, I-551, I-94, or G-641 to the application.

CONTINUOUSLY ENROLLED

Before receiving an Academic Challenge Scholarship – Part II as a “Current Achiever, a recipient must have successfully completed at least twelve (12) semester hours of courses in consecutive semesters. As a recipient of the Academic Challenge Scholarship – Part II as a “Current Achiever”, a student must successfully complete at least fifteen (15) semester hours of courses in consecutive semesters, not including a summer term.

COST OF ATTENDANCE

An estimate of a student's educational expenses that is designed to provide an accurate projection of the reasonable costs for the period of enrollment. Allowable cost include tuition and fees, room and board, books, supplies, transportation, disability expenses, loan fees, dependent care, study abroad expenses and miscellaneous expenses. Standard cost of attendance will vary for different categories of students. Institutions must maintain written documentation supporting the determined cost of attendance.

CURRENT ACHIEVER STUDENT

student who is not awarded as traditional student or nontraditional student.

ELIGIBLE APPLICANT

any applicant who meets the eligibility criteria established in Rule 2.

FIRST-TIME FRESHMAN

any student who enrolled as a first-year college student, who has never previously been enrolled as a first-year college student. High school students who complete their senior year of high school while enrolled in a two/four-year college will be considered first-time freshmen in the first year of college work following high school graduation.

<i>FULL-TIME STUDENT</i>	fifteen (15) college credit hours or its equivalent per fall and spring semester. Those students who are set to graduate with a bachelor's degree at the end of a semester shall be exempt from the fifteen (15) credit hour requirement.
<i>INCARCERATION</i>	serving or being sentenced to serve time in confinement in a jail or prison; imprisonment. Incarceration will result in ineligibility for the Academic Challenge Scholarship.
<i>LAWFUL PERMANENT RESIDENT</i>	a non-United States citizen who resides in the United States under a legally recognized and lawfully recorded permanent residence.
<i>POSTSECONDARY GPA</i>	the cumulative numbered grade average for college credit courses as calculated using a 4.0 scale.
<i>PROFESSIONAL JUDGMENT</i>	authority of ADHE professional staff that allows for the special consideration of applications or renewal requests when situations exist that prohibit the student from meeting the exact guidelines as stated, when specific documentation provided by the student, high school, or approved institution shows that the student meets the objectives or purpose of the program.
<i>QUALIFIED CERTIFICATE PROGRAM</i>	a program that is: (A) Offered by an approved institution of higher education; (B) For which credit hours are awarded that are creditable toward and associate degree; and (C) Recognized by the U.S. Department of Education for financial aid purposes.
<i>RECIPIENT</i>	an applicant awarded a scholarship funded through the program.
<i>Scholarship Hold</i>	the temporary suspension of a scholarship award to a traditional student
<i>Successfully Completed</i>	that a student completed a course at an institution of higher education and received the equivalent of a minimum letter grade of "D"

ACADEMIC CHALLENGE SCHOLARSHIP PROGRAM

PART 2 (NONTRADITIONAL STUDENT)

RULE 1 – ORGANIZATION AND STRUCTURE

- I. The Arkansas Department of Higher Education (ADHE) shall administer the Arkansas Academic Challenge Scholarship Program within the policies set by the Arkansas Higher Education Coordinating Board. All formal communications shall be addressed to or signed by the Director of the Arkansas Department of Higher Education or his/her designee.
- II. The Director of the Arkansas Department of Higher Education has the final responsibility for selecting scholarship recipients pursuant to the provisions of Acts 352, 362 and 733 of 1991, Act 47 of 1992, Acts 720, 1170 and 1244 of 1993, Acts 188 and 228 of 1995, Act 858 of 1999, Acts 1612, 1664 and 1836 of 2001, Acts 1014, 2197, 2011 and 2214 of 2005, Acts 274 and 840 of 2007, Acts 606 and 1405 of 2009, Acts 265 and 294 of 2010, Act 207 of 2011, and Acts 234, 1106, 1173, and 1263 of 2013 and subsequent legislation, and program rules and regulations.
- III. The Arkansas Department of Higher Education shall follow the provisions of the Administrative Procedures Act when functioning under Acts 352, 362 and 733 of 1991, Act 47 of 1992, Acts 720, 1170 and 1244 of 1993, Acts 188 and 228 of 1995, Act 858 of 1999, Acts 1612, 1664, and 1836 of 2001, Act 1798 of 2003, Acts 1014, 2197, 2011 and 2214 of 2005, Acts 274 and 840 of 2007, Acts 606 and 1405 of 2009, Acts 265 and 294 of 2010, Act 207 of 2011, and Acts 234, 1106, 1173, and 1263 of 2013, and subsequent legislation.

RULE 2 – SCHOLARSHIP ELIGIBILITY CRITERIA

I. Eligibility Criteria

An applicant must meet the following requirements to be eligible to receive the Arkansas Academic Challenge Scholarship:

- A. The applicant must be a citizen of the United States or a lawful permanent resident.
- B. The applicant shall have been an Arkansas resident for at least the twelve (12) months immediately preceding the date the applicant will enroll in an approved institution of higher education or if the applicant is less than twenty-one (21) years of age, either the applicant or a parent or guardian of the applicant shall have maintained Arkansas residency for the same period of time. . If the applicant is deployed outside of Arkansas under military orders, the ADHE shall calculate the twelve (12) months by excluding months of military deployment outside of Arkansas that within the twelve (12) months immediately preceding the date the applicant will enroll in an approved institution of higher education and including the months the person maintained Arkansas residency immediately preceding the military deployment outside of Arkansas.
- C. The applicant must be accepted for admission and enrolled as a full-time or part-time student at an approved institution.
- D. The applicant must be enrolled in a program of study, which leads to or is creditable towards a baccalaureate degree. These programs include baccalaureate degree programs, associate degree programs, qualified certificate programs and nursing school diplomas.
- E. The applicant shall not have already earned a baccalaureate degree.
- F. The applicant shall not owe a refund on a federal or state student financial aid grant for higher education, not be in default on a state or federal student financial aid loan for higher education, and not have borrowed, as determined by the approved institution of higher education to be attended, in excess of the annual loan limits under the Federal Family Educational Loan Program Systems, William D. Ford Federal Direct Loan Program, Income Contingent Loan Demonstration Program, Federal Stafford Loan Program, Parent Loan for Undergraduate Students Program, or Supplemental Loan for Students Program in the same academic year for which the student has applied for this scholarship under this subchapter.
- G. The applicant shall not be incarcerated at the time of the application for or during the time the applicant receives a scholarship.
- H. Applicants must certify that they are drug-free and must pledge to refrain from the use or abuse of illegal substances. This includes alcohol for applicants less than twenty-one years of age.
- I. Any male applicant under twenty-six years of age must file a Statement of Selective Service Status with the postsecondary education institution at which he

is enrolled certifying that he has complied with the terms of the Military Selective Service Act before funds can be disbursed.

J. Applicant must complete and submit to the U.S. Department of Education the Free Application for Federal Student Aid (FAFSA) or a subsequent application required by the U.S. Department of Education for federal financial aid.

K. Applicant must meet one of the following criteria:

- a. Graduated from an Arkansas public high school and achieved a 2.5 high school grade point average or had a minimum composite score of nineteen (19) on the ACT or the equivalent score on an ACT equivalent and has not successfully completed twelve (12) or more semester hours of credit; or
- b. If the student has successfully completed at least twelve (12) semester hours of courses granting three (3) or more hours of credit at an approved institution of higher education (A course granting less than three (3) hours of credit may be counted toward the twelve (12) semester credit hours if it is related to a credit course required or a degree.) must have:
 1. Earned a postsecondary grade point average of at least 2.5; or
 2. Graduated from a private high school, out-of-state high school, a home school high school or obtained a General Educational Development certificate and achieve a minimum composite score of nineteen (19) on the ACT or the equivalent score on an ACT equivalent.

L. A recipient of a Governor's Distinguished Scholarship is prohibited from receiving an Academic Challenge Scholarship.

M. Applicant cannot have:

1. Earned a baccalaureate degree;
2. Attempted more than one hundred thirty (130) semester hours of credit at an institution of higher education;
3. For award at a two-year college, cannot have earned an associate degree; or
4. For award at a two-year college, cannot have attempted more than seventy-five (75) semester hours of credit at an institution of higher education.

IV. Continued Eligibility

Recipients must meet the following criteria in order to have their scholarship renewed:

- a. Maintain a 2.5 cumulative postsecondary GPA;
- b. Successfully complete at least fifteen (15) semester hours of courses in consecutive semesters for a full-time student. Successfully complete at least six (6) semester hours of courses in consecutive semesters for a part-time student;
- c. Shall be continuously enrolled unless the Arkansas Department of Higher Education has approved a leave of absence.
- d. Meet the satisfactory academic progress standards required to receive other financial aid at the approved institution where enrolled;
- e. Successfully complete all remedial courses required within the first thirty (30) semester hours attempted after receiving the scholarship
- f. Enroll in courses that lead toward a baccalaureate degree program after attempting the lesser of:
 - i. Five (5) semesters; or
 - ii. Completion of an associate degree program.

If the recipient becomes ineligible for the scholarship because the recipient's postsecondary grade point average or number of completed semester hours no longer meets the minimum criteria for the scholarship, the recipient may regain eligibility one (1) time in an academic year if the recipient completes the required number of hours and/or achieves a 2.5 cumulative grade point average during the summer term(s), at the recipient's own expense.

If the recipient does not successfully complete any credit hours toward degree completion in a semester in which he or she receives a scholarship immediately forfeits the remainder of the scholarship award for that academic year.

A recipient who meets the continuing eligibility requirements shall receive the scholarship for one (1) academic year renewable annually until the recipient first:

1. Earns a baccalaureate degree; or
2. (A) Has enrolled in eight (8) semesters at any approved institution as an undergraduate full-time student. A semester in which a student withdraws or fails to complete the number of credit hours for which the student first enrolled is counted toward the maximum number of semesters for which the student may receive a scholarship award. The maximum number of semesters applies to any degree program, regardless of whether or not the degree program requires additional semesters.

V. Literacy Tutoring

As an additional component to the Arkansas Academic Challenge Scholarship:

1. Each applicant for the scholarship shall agree that for each year the scholarship is awarded he or she may volunteer to serve as a literacy tutor for a minimum of

twenty (20) clock hours each semester in a public school or a faith based educational institution serving students in prekindergarten through grade six (preK-6);

2. A recipient who agrees to volunteer as a literacy tutor:
 - A. Shall complete the prerequisite training in literacy and college readiness skills provided under this section before he or she begins tutoring; and
 - B. May receive college credit for the tutoring as determined by the institution of higher education where the recipient is enrolled; and
3. An enrolled college student who participates in the tutorial program and fails to meet the academic eligibility requirement under this subchapter for the fall or spring semester shall be given the probationary opportunity during the subsequent spring or summer term to continue his or her education and improve academic performance before losing scholarship funding in the subsequent semester.

A recipient who agrees to volunteer as a literacy tutor under this section shall receive the prerequisite training in literacy and college readiness from an approved institution of higher education based on training modules developed by the Department of Education.

RULE 3 – APPLICATION PROCESS

I. Application

Students must submit an on-line application, available at the ADHE website.

II. Submission of Application and Application Deadline

The application deadline shall be June 1. At its discretion, the ADHE may extend the deadline, provided sufficient notice is provided to the public. The applicant is responsible for submitting the application and all supporting documentation in a timely manner.

III. Amount of Scholarship

The Arkansas General Assembly sets award amounts annually. Once determined, the amounts will be posted on the ADHE website, www.adhe.edu.

The scholarship award amount for a part-time student shall be one-half (1/2) of the award amount for a full-time student, if the recipient is enrolled in at least six (6) semester hours but less than nine (9) semester hours. The scholarship award amount for a part-time student shall be three-quarters (3/4) of the award amount for a full-time student, if the recipient is enrolled in at least nine (9) semester hours but less than the number of hours required for a full-time student.

IV. Award Notification and Prioritization of Awards

The approved allocation for the nontraditional student category under the Academic Challenge Scholarship Program Part 2 shall be divided equally between the approved 2-year and 4-year institutions of higher education. The funds allocated for the approved 2-year and 4-year institutions of higher education will then be divided equally among two (2) categories of students:

1. Delayed Student – An eligible applicant who did not enroll in college within one year of high school graduation AND has no prior college credit, other than concurrent credit that was earned in high school or credit earned via prior learning assessment or corporate or military credit.
2. Earn-In Student – An eligible applicant who has attended or is currently enrolled in a postsecondary institution AND does not currently receive the Academic Challenge Scholarship Program Part 1 and who is not awarded as a traditional or current achiever student under Academic Challenge Scholarship Part 2.

Scholarships for applicants attending a 2-year college will be prioritized within each of the two (2) categories in the following manner:

Delayed Students:

Prioritization of awards is based on ACT or ACT equivalent score, first awarding those who do not need any remediation based on the state’s designated minimum scores on the ACT or ACT equivalent in Math, English Composition and Reading. After all students who do not require any remediation are awarded, if funds are still available, then students who need remediation will be awarded.

Earn-In Students:

The department’s selection criteria will consist of value points assigned to achievement measures and other criteria including: level of progress towards completion of a qualified certificate, nursing diploma or associate degree; enrollment in or intent to enroll (by declaring a major) in a program of study in an area of critical workforce need as determined by the department or is in a science, technology, engineering, or mathematics field; and postsecondary grade point average. Value points assigned to each selection criterion are weighted as follows:

Highest level of progress toward completion of a qualified certificate, nursing diploma, or associate degree -----70%

Postsecondary grade point average (based on a 4.0 grading scale)-----
-----20%

Enrollment in or intent to enroll (by declaring a major) in a program of study in an area of critical workforce need as determined by the department or is in a science, technology, engineering, or mathematics field. -----
-----10%

Scholarships for applicants attending a 4-year university will be prioritized within each of the two (2) categories in the following manner:

Prioritization of awards is based on ACT or ACT equivalent score, first awarding those who do not need any remediation based on the state's designated minimum scores on the ACT or ACT equivalent in Math, English Composition and Reading. After all students who do not require any remediation are awarded, if funds are still available, then students who need remediation will be awarded.

Earn-In Students:

The department's selection criteria will consist of value points assigned to achievement measures and other criteria including: level of progress towards completion of a qualified certificate, nursing diploma, associate degree or a baccalaureate degree; enrollment in or intent to enroll (by declaring a major) in a program of study in an area of critical workforce need as determined by the department or is in a science, technology, engineering, or mathematics field; and postsecondary grade point average. Value points assigned to each selection criterion are weighted as follows:

Highest level of progress toward completion of a qualified certificate, nursing diploma, or associate degree -----70%

Postsecondary grade point average (based on a 4.0 grading scale)-----
-----20%

Enrollment in or intent to enroll (by declaring a major) in a program of study in an area of critical workforce need as determined by the department or is in a science, technology, engineering, or mathematics field. -----
-----10%

In the event that funds are not fully expended in any of the two (2) categories of nontraditional students, the Arkansas Department of Higher Education reserves the authority to redirect funds to another category at its discretion.

The Arkansas Department of Higher Education shall notify each eligible applicant of his/her award. The award notice includes the student's name, address, social security number, the actual amount the student is eligible to receive, and the student's first institutional choice as indicated on the application form. The award notice also explains

the Arkansas Department of Higher Education's disbursement procedures and conditions of the Academic Challenge Scholarship.

V. Ineligible Notification

The Arkansas Department of Higher Education shall notify applicants who are determined to be ineligible and provide the reason for ineligibility. They will also be given instructions on how to correct any information on the application they believe to be incorrect.

VI. Incomplete Notification

Applicants who fail to submit complete applications, or who fail to supply the required documentation to process the application, will be classified as Incomplete. The Arkansas Department of Higher Education shall notify these students of their status. The Incomplete notice provides a list of the incomplete items and the actions necessary for completion.

RULE 4 – SCHOLARSHIP PAYMENT POLICIES

I. Limits of Payment

A. Payment of Scholarships

The Arkansas Department of Higher Education shall disburse scholarship to the approved institution of the student's choice. The Arkansas Department of Higher Education shall send funds to the institution via electronic funds transfer or state warrant. After verification of full-time enrollment, the institution will disburse the scholarship to the student according to the institution's disbursement procedures. The scholarship payment will correspond to academic terms, semesters, quarters, or equivalent time periods at the eligible institution. In no instance may the entire amount of the scholarship disbursement for an educational year be paid to or on behalf of such student in advance.

B. Transfer of Scholarships to Another Approved Institution

A recipient who has received an Academic Challenge Scholarship may transfer the scholarship to another approved Arkansas institution of higher education, provided that:

1. The student notifies the Arkansas Department of Higher Education of the change of status by October 1 for the fall term and by February 1 for the winter and/or spring terms;

If transferring institutions between Fall and Spring terms, the student shall submit an official transcript to ADHE.

C. Withdrawal Policy

A recipient shall be continuously enrolled unless the Arkansas Department of Higher Education has approved a leave of absence. The department shall allow a student to withdraw from the Arkansas Academic Challenge Scholarship Program for no more than one (1) year due to:

1. A medical condition of the recipient or a member of the recipient's immediate family that, on the basis of a physician's good-faith judgment, necessitates the student or the student's immediate family member to be hospitalized or receive outpatient or home-based medical care or recuperation until released by the attending physician;
2. A personal or family emergency that requires the student to:
 - a. Attend the funeral of an immediate family member; or
 - b. Visit a relative of the student if the relative has a medical condition in which death is possible or imminent;
3. Military service (also see Section F);
4. A commitment for twelve (12) to twenty-four (24) months ~~or~~ of:
 - a. Service in a national or international humanitarian project sponsored by a nonprofit corporation organized with a charitable or educational purpose;
 - b. The student's commitment shall be expressed in a written agreement with the nonprofit organization including the terms of completion for the student's service on the related project;
 - c. The department shall release a scholarship hold if the department determines that the student did not complete the commitment under the written agreement; or
5. Any other reason approved by the Arkansas Department of Higher Education

The recipient must submit a written petition for withdrawal. The petition shall give the reason for withdrawal and be supported by documentation. In the absence of extraordinary circumstances, the award will be revoked if the recipient fails to enroll full-time in an eligible institution in Arkansas, and the Arkansas Department of Higher Education receives neither notification of transfer of the scholarship to another eligible institution, nor a petition for withdrawal by the recipient by October 1 for the fall term and February 1 for the winter and/or spring terms. At the discretion of the Department of Higher Education, the award will not be revoked if it is determined by ADHE that extraordinary circumstances prevented the student from notifying ADHE by the required dates.

D. Renewal of Scholarship

A recipient who meets the continuing eligibility requirements shall receive the scholarship for one (1) academic year renewable annually until the recipient first:

1. Earns a baccalaureate degree;
2. (A) Attempts a transcript total of one hundred thirty (130) semester hours in eight (8) semesters at any approved institution as an undergraduate full-time student or attempts a transcript total of one hundred thirty (130) semester hours in not more than sixteen (16) semesters as an undergraduate part-time student.
(B) If the recipient's undergraduate degree requires additional hours, the Department of Higher Education, in conjunction with the approved institution where the recipient is enrolled, shall determine the maximum period of time for renewal of the scholarship.

Those recipients who are set to graduate with their bachelor's degree at the end of their current semester of funding shall be exempt from the fifteen (15) credit hour requirement for full-time students or six (6) credit hour requirement for part-time students.

A student may not use these funds for educational purposes beyond the baccalaureate degree.

E. Cancellation of the Scholarship

1. The award will be terminated for any of the following reasons:
 - a) Failure to maintain continued eligibility requirements; or
 - b) Completion of a first baccalaureate degree; or
 - c) Attempts a total of one hundred thirty semester (130) hours in eight (8) semesters at any approved institution unless degree requires additional hours for a full-time student; or
 - d) Attempts a total of one hundred thirty semester (130) hours in sixteen (16) semesters at any approved institution unless degree requires additional hours for a part-time student.
 - e) Incarceration and/or violation of the drug-free pledge.
2. The recipient is responsible for notifying the Arkansas Department of Higher Education of any change in status (i.e. transfer to another eligible institution in Arkansas, change in name, etc.) before appropriate deadline dates. Failure to provide notification may result in the cancellation of the scholarship for that term.

F. Military Service

Recipients who are members of the Arkansas National Guard or Armed Forces Reserve units who are called to active duty for reasons other than regular unit training and are unable to complete the current term will be allowed to repeat the missed term without loss of scholarship credit. In addition, they will be placed in deferred status until six months after release from active duty, at which time they must be re-enrolled in an approved institution.

G. Repayment of Scholarships

If the recipient of a scholarship withdraws, drops out, or is expelled on or after the first day of class of a payment period, the institution will determine whether the student received an overpayment of financial aid funds for noninstitutional expenses. Overpayment is the difference between the amount received as cash disbursements and the amount incurred for non-institutional costs during the portion of the payment period that the student was actually enrolled. It is the institution's responsibility to contact students and recover overpayments.

H. Refunds

The Arkansas Academic Challenge Scholarship Program is entitled to a refund of the scholarship or loan amount, for that semester, if the recipient of a scholarship or loan withdraws, drops out, or is expelled on or after his or her first day of class of the payment period and the situation falls under the refund policy of the institution. The institution shall pay the refund to the Arkansas Department of Higher Education.

I. Overpayment

If the award of an Arkansas Academic Challenge Scholarship results in an overpayment to the student according to the state law (Arkansas Code § 6-80-105) governing the stacking of scholarships, the institution shall follow the ADHE Stacking policy in reducing the student's financial package to prevent the student from receiving funds above the federally recognized cost of attendance.

RULE 5 – INSTITUTIONAL RESPONSIBILITIES

I. College/University Responsibilities

A. Administrative Agreement

The chief executive officer of the eligible institution is responsible for appointing one representative from the financial aid office to act as administrator of the

Arkansas Academic Challenge Scholarship Program and to receive all communications, forms, etc. This representative is responsible for verification, data and compliance with all program rules and regulations. The institution must comply with all rules and regulations in order to maintain continued eligibility status.

B. Disbursement Records

The institution shall maintain information on the student indicating disbursement of scholarship funds.

C. Institutional Verification

The institution shall provide certification of full-time and part-time enrollment in courses that will meet satisfactory academic progress standards, as of the eleventh day of classes, by completing a Verification Roster each semester after registration. The Verification Roster is an alphabetical listing by institution of all persons receiving the award for a given academic term. The certifying official is responsible for completing the verification rosters each semester or trimester. The Arkansas Department of Higher Education shall provide electronic Verification Rosters to the Financial Aid Administrator for each semester or trimester as needed. The electronic Verification Rosters shall be returned to the Arkansas Department of Higher Education by November 1 for the fall term and by March 15 for the spring term. Students who are enrolled less than full-time in the current term shall not receive scholarship benefits in that term. The Arkansas Department of Higher Education shall also provide electronic continuing eligibility rosters to the Financial Aid Administrator before the end of the spring term. The continuing eligibility rosters shall be returned to the Arkansas Department of Higher Education no later than June 1 to ensure that adequate time is provided to notify students of their status in the program.

D. Deadlines for Disbursement of Funds

The deadline for disbursement of funds is no later than 10 days after receipt of funds. Any outstanding funds not disbursed by these dates must be returned to the Arkansas Department of Higher Education. For those students whose applications are received by ADHE too late to allow disbursement by these dates, disbursement will be made within 10 working days of receipt of the verification roster and electronic transfer of funds.

E. Due Diligence

The institution will exercise due diligence in providing complete, accurate, and timely information as requested by the Arkansas Department of Higher Education on any Arkansas Academic Challenge Scholarship recipient or former recipient. In addition, the institution will exercise due diligence in complying

with all the rules and regulations of the Arkansas Academic Challenge Scholarship Program. The Arkansas Department of Higher Education shall periodically review the institution's records concerning this program in an effort to exercise its due diligence requirements as a steward of state funds.

RULE 6 – SCHOLARSHIP RECIPIENT’S RESPONSIBILITIES

I. Arkansas Academic Challenge Scholarship Award Recipient's Responsibilities

It is the recipient's responsibility to notify the Arkansas Department of Higher Education of any change in status within 21 days. This will include:

- Change in name
- Change in address
- Change in institution
- Change in full-time or part-time status

Failure to notify the Arkansas Department of Higher Education of a change of status may affect future eligibility.

RULE 7 – PROGRAM DEFINITIONS

The following definitions are used in the Arkansas Academic Challenge Program:

<i>ACADEMIC YEAR</i>	fall semester, spring semester, and first and second summer terms in that order.
<i>ACT</i>	the ACT Assessment administered by ACT, Inc.
<i>ACT EQUIVALENT</i>	the Scholastic Aptitude Test (SAT), COMPASS, ASSET Accuplacer, or other nationally normed test that is correlated with the ACT and approved by the Department of Higher Education for use by institutions of higher education to assess a person's college readiness
<i>APPROVED INSTITUTION</i>	an institution of higher education approved by the Department of Higher Education that is: <ol style="list-style-type: none">a. A state-supported two-year or four-year college or university;b. A private, nonprofit two-year or four-year college or university with its primary headquarters located in Arkansas that is eligible to receive Title IV federal student aid funds; orc. An approved school of nursing.

APPROVED SCHOOL OF NURSING a school of nursing with its primary headquarters located in Arkansas that:

- m. prepares students as registered nurses;
- n. grants nursing diplomas;
- o. is eligible to participate in Title IV federal student aid programs;
- p. has been approved by the Arkansas State Board of Nursing;
- q. has been approved by the Department of Higher Education as eligible to participate; and
- r. is not a two-year or four-year college or university.

ARKANSAS RESIDENT a natural person who provides evidence to ADHE that:

(A) For twelve (12) months prior to enrollment in an approved institution of higher education, the recipient and/or recipient's parents or guardians claiming Arkansas residency:

- i. Maintained a permanent home in Arkansas where the person resides for an average of no less than four (4) days and nights per calendar week; and
- ii. Either:
 - (a) Is an Arkansas registered voter;
 - (b) Holds a valid Arkansas motor vehicle driver's license;
 - (c) Receives benefits under an Arkansas public assistance program;
 - (d) Uses an Arkansas residence address for federal or state tax purposes; or
 - (e) Claims Arkansas as a residence to hold public office or for judicial actions; or

(B) Before the deadline for filing a scholarship application the applicant is:

- i. On active military status;
- ii. Qualifies for in-state tuition and fees due to being an unemancipated dependent of an armed forces member stationed in Arkansas;

CITIZEN a person who is a U.S. citizen or a lawful permanent resident. If the recipient is not a U.S. citizen, but a lawful permanent resident, the recipient must submit a copy of the lawful permanent resident form I-151, I-551, I-94, or G-641 to the application.

CONTINUOUSLY ENROLLED a full-time nontraditional student that successfully completes at least fifteen (15) semester hours of courses in consecutive

semesters, not including a summer term, at approved institution of higher education. A part-time nontraditional student that successfully completes at least six (6) semester hours of courses in consecutive semesters, not including a summer term, at approved institution of higher education.

COST OF ATTENDANCE

An estimate of a student's educational expenses that is designed to provide an accurate projection of the reasonable costs for the period of enrollment. Allowable cost include tuition and fees, room and board, books, supplies, transportation, disability expenses, loan fees, dependent care, study abroad expenses and miscellaneous expenses. Standard cost of attendance will vary for different categories of students. Institutions must maintain written documentation supporting the determined cost of attendance.

DELAYED STUDENT

An eligible applicant who did not enroll in college within one year of high school graduation AND has no prior college credit --other than concurrent credit that was earned in high school or credit earned via prior leaning assessment or corporate or military credit

EARN-IN STUDENT

An eligible applicant who has attended or is currently enrolled in a postsecondary institution and does not currently receive the Academic Challenge Scholarship and who is not awarded as a traditional or current achiever student.

ELIGIBLE APPLICANT

any applicant who meets the eligibility criteria established in Rule 2.

ENROLLED

the approved institution of higher education where the student is attending class counts the student as enrolled for the hours claimed on the last day to add or drop a class.

FULL-TIME STUDENT

fifteen (15) college credit hours or its equivalent per fall and spring semester.

GENERAL EDUCATIONAL DEVELOPMENT TEST means a test measuring the knowledge and skills usually learned in high school that is administered by a state-approved institution or organization.

HIGH SCHOOL GPA

the numbered grade averaged on a student's high school transcript calculated using the last eight (8) semesters the student completed prior to graduating high school.

<i>INCARCERATION</i>	serving or being sentenced to serve time in confinement in a jail or prison; imprisonment. Incarceration will result in ineligibility for the Academic Challenge Scholarship.
<i>LAWFUL PERMANENT RESIDENT</i>	a non-United States citizen who resides in the United States under a legally recognized and lawfully recorded permanent residence.
<i>NONTRADITIONAL STUDENT</i>	a student who is not awarded as a traditional or a current achiever student.
<i>PART-TIME STUDENT</i>	at least six (6) semester hours or its equivalent per semester.
<i>POSTSECONDARY GPA</i>	the cumulative numbered grade average for college credit courses as calculated using a 4.0 scale.
<i>PROFESSIONAL JUDGMENT</i>	authority of ADHE professional staff that allows for the special consideration of applications or renewal requests when situations exist that prohibit the student from meeting the exact guidelines as stated, when specific documentation provided by the student, high school, or approved institution shows that the student meets the objectives or purpose of the program.
<i>QUALIFIED CERTIFICATE PROGRAM</i>	a program that is: (A) Offered by an approved institution of higher education; (B) For which credit hours are awarded that are creditable toward and associate degree; and (C) Recognized by the U.S. Department of Education for financial aid purposes.
<i>RECIPIENT</i>	an applicant awarded a scholarship funded through the program.
<i>Scholarship Hold</i>	the temporary suspension of a scholarship award to a traditional student
<i>Semester</i>	one-half (1/2) of a traditional academic year at an institution of higher education , or an equivalent approved by ADHE, in which a student enrolls for not less than: (A). Fifteen (15) credit hours as a full-time student, except that in the first semester as a first-time full-time freshman, a traditional student shall enroll in not less than twelve (12) credit hours; or

(B) Six (6) credit hours as a part-time student.

Successfully Completed

that a student completed a course at an institution of higher education and received the equivalent of a minimum letter grade of "D"

RULES GOVERNOR'S SCHOLARS PROGRAM

Recognizing that Arkansas' bright young leaders make valuable contributions not only to colleges and universities but also to the state, the Arkansas Legislature enacted the Governor's Scholars Program for the purpose of encouraging Arkansas' best high school students to remain in Arkansas for their college education. Each year, Arkansas' academically superior high school graduates will be offered scholarships from the state to assist them in their undergraduate studies at any of Arkansas' public or private colleges or universities.

The Governor's Scholars Program is divided into two designations:

Governor's Distinguished Scholarships – students who meet the following minimum eligibility criteria are eligible to be named Governor's Distinguished Scholars: either a 32 composite score on a single ACT or 1410 combined math and critical reasoning score on a single SAT AND 3.50 academic grade point average, OR selection as a National Achievement Finalist or National Merit Finalist. If funding allows, up to 300 Governor's Distinguished Scholars may be named. If there are more eligible applicants than available scholarships, the department may determine a procedure for awarding additional scholarships while not exceeding available funds.

Governor's Scholarships – students who do not meet the Governor's Distinguished Scholars criteria compete for the Governor's Scholarship, which will be awarded to the student who scores the highest in each of Arkansas' 75 counties (based on the student's county of residence). Selection is based on the following: 45% ACT or SAT score, 35% high school grade point average in academic courses, 10% class rank, and 10% leadership.

Act 1218 of 2009 established an additional requirement that an applicant must graduate from an Arkansas high school to be considered for the Governor's Scholarship designation. This act also granted authority to the Arkansas Department of Higher Education (ADHE) to determine the necessary procedures for the awarding of scholarships if the number of eligible applicants exceeds the available funds or available awards.

In compliance with the Administrative Procedures Act of 1979, a public hearing was announced in a newspaper of general circulation to discuss the rules and regulations that will govern the Governor's Scholars Program. The hearing will be held on July 31, 2009, in conjunction with a meeting of the Arkansas Higher Education Coordinating Board.

The following resolution is offered for the Board's consideration:

RESOLVED, That the Arkansas Higher Education Coordinating Board adopts the rules and regulations presented in this agenda item for the Governor's Scholars Program, to be

administered jointly by the Arkansas Department of Higher Education and approved Arkansas Institutions of Higher Education.

FURTHER RESOLVED, That by the adoption of the rules and regulations presented in this agenda item, the Director of the Arkansas Department of Higher Education or her designee is authorized to promulgate these rules and regulations and to implement them for the 2009-2010 academic year.

FURTHER RESOLVED, That the Director of the Arkansas Department of Higher Education or her designee is authorized to make technical changes and corrections when necessary in the program rules for the Governor's Scholars Program.

Citation: [6-85-301-316](#)

Arkansas Governor's Scholars Program
RULES AND REGULATIONS

RULE 1 – ORGANIZATION AND STRUCTURE

- I. The Arkansas Department of Higher Education shall administer the Governor's Scholars Program within the policies set by the Arkansas Higher Education Coordinating Board. All formal communications shall be addressed to or signed by the Director of the Arkansas Department of Higher Education or his/her designee. The Governor's Scholars Advisory Council shall provide advice to the Department of Higher Education regarding the administration of the program.
- II. Governor's Scholars Program Advisory Council
 - A. The Governor's Scholars Program Advisory Council shall consist of ten members appointed by the Arkansas Higher Education Coordinating Board for staggered two-year terms and shall represent the public and private sectors of post-secondary education and secondary schools.
 - B. The Governor's Scholars Program Advisory Council shall advise the Arkansas Department of Higher Education in the determination of guidelines and regulations for the administration of this program.
 - C. The Director of the Arkansas Department of Higher Education or his/her designee shall serve as presiding officer of the Governor's Scholars Program Advisory Council and shall ensure that staff services for the Council are provided.
- III. The final responsibility for selecting scholarship recipients shall rest with the Director of the Arkansas Department of Higher Education pursuant to the provisions of Act 59 of 1983, Act 176 of 1985, Act 951 of 1989, Acts 489 and 1269 of 1997, Act 1562 of 1999, Acts 1612 and 1761 of 2001, Acts 1014, 1241 and 2197 of 2005, Acts 274 and 1046 of 2007, Act 1218 of 2009, Act 21 of 2015, and subsequent legislation.
- IV. When functioning under Act 59 of 1983, Act 176 of 1985, Act 951 of 1989, Acts 189 and 230 of 1995, Acts 489 and 1269 of 1997, Act 1562 of 1999, Acts 1612 and 1761 of 2001, Acts 1014, 1241 and 2197 of 2005, Acts 274 and 1046 of 2007, Act 1218 of 2009, Act 21 of 2015, and subsequent legislation, the Arkansas Department of Higher Education shall follow the provisions of the Administrative Procedures Act.

RULE 2 – SCHOLARSHIP ELIGIBILITY CRITERIA

I. Eligibility Criteria

A student must meet the following requirements to be eligible to receive the Governor's Scholars Award.

- A. The applicant must be a citizen of the United States or a permanent resident alien.
- B. The applicant or one parent must be a bona fide resident of the State of Arkansas, as defined by the Arkansas Department of Higher Education, for at least the six months prior to the application deadline. (Arkansas Annotated Code 6-60-210)
- C. The applicant must be eligible for admission as a full-time undergraduate student and declare intent to enroll in an eligible public or private college or university in Arkansas. An "undergraduate student" is defined as an individual who is enrolled in a post-secondary education program that leads to or is directly creditable toward the individual's first baccalaureate degree.
- D. The applicant must meet the minimum academic standards of a minimum high school grade point average of 3.5 on a 4.0 scale, or a minimum ACT composite score of 27, or a minimum SAT composite score of 1220, or be selected as a finalist in the National Merit Scholarship or National Achievement competition conducted by the National Merit Scholarship Corporation for Governor's Scholars candidacy.
- E. The applicant must demonstrate superior academic ability and leadership qualities.
- F. For students graduating after December 31, 2009, the applicant must demonstrate proficiency in the application of knowledge and skills in reading and writing literacy and mathematics by passing end-of-course examinations or by scoring at least a nineteen (19) on the applicable subscore of the ACT.
- G. The applicant must be a high school graduate. For Governor's Scholars, not Governor's Distinguished Scholars, the applicant must graduate from an Arkansas high school.

II. Continued Eligibility

The Governor's Scholars scholarship shall be awarded for one academic year and renewed annually for up to three additional academic years provided the scholar maintains a minimum cumulative grade point average of 3.0 on a 4.0 scale and

completes and passes a minimum of at least twenty-seven (27) credit hours the first academic year and thirty (30) hours each academic year thereafter.

The Governor's Distinguished Scholars (as defined in Program Definitions) scholarship shall be awarded for one academic year and renewed annually for up to three additional academic years provided the scholar maintains a minimum cumulative grade point average of 3.25 on a 4.0 scale and completes a minimum of at least twenty-seven (27) credit hours the first academic year and thirty (30) hours each academic year thereafter. Those Governor's Distinguished Scholars who fall below the 3.25 GPA but do maintain a grade point average of 3.0 or above, shall be eligible to receive \$4,000 per academic year in the remaining years of the scholarship period.

An academic year consists of regular fall, winter, spring and first and second summer terms. Those recipients who complete their baccalaureate degree in less than four years may use the scholarship for postgraduate studies at any approved Arkansas higher education institution or at institutions located out of state and educating Arkansas residents in dentistry, optometry, veterinary medicine, podiatry, chiropractic, or osteopathy under agreement with the Board of Control for Southern Regional Education. In no instance, may the scholarship term exceed four academic years. The scholarship shall be terminated if the scholar fails to complete a baccalaureate degree within five years from initial college entrance.

RULE 3 – APPLICATION PROCESS

I. Application

Application for the Governor's Scholars Program originates through the eligible student's individual initiative. The Arkansas Department of Higher Education shall provide an online Governor's Scholars application and will mail applications to individuals upon request.

The Governor's Scholars application shall be completed by the applicant. Specific instructions are included with the application. Applicants may withdraw from consideration for the program only through a letter from a parent or guardian that states the reason for withdrawing.

II. Submission of Applications

Any interested student planning to enroll in an eligible public or private college or university in Arkansas may apply.

III. Application Deadline

The Arkansas Department of Higher Education shall establish the deadline for receipt of applications for the Governor's Scholars Program each year. The deadline date shall be

clearly printed on the application for the Governor's Scholars Program and in the instructions, which accompany each application.

All applications and supporting documentation must be received by the Arkansas Department of Higher Education by the established deadline date in order to be considered for Governor's Scholars candidacy. It is the responsibility of the individual applicant to ensure that the application is received by the Arkansas Department of Higher Education by the deadline date.

IV. Amount of Scholarship

Those students who are awarded the Governor's Distinguished Scholarship shall receive an award, which when combined with the \$4,000 Governor's Scholars award equals the lesser of (a) ten thousand dollars (\$10,000) per year OR (b) tuition, room and board, and mandatory fees charged by the approved Arkansas public or private institution of higher education.

The Governor's Scholars amount awarded to each recipient shall be \$4,000 per year.

As authorized by Act 1269 of 1997, recipients who complete a baccalaureate degree in three years or less may receive a fourth-year award if they enroll in a postgraduate program at an approved institution. In no case, however, will the recipient receive a larger scholarship than he or she received as an undergraduate Governor's Scholar. For students who qualify for a postgraduate award by completing a bachelor's degree in three years or less and enrolling in a postgraduate program at an approved institution, the remaining term of the Governor's Scholars award will be either the same amount received in the last undergraduate year or the cost of tuition and mandatory fees for the postgraduate program at an approved institution, whichever is less. The Governor's Scholarship term will never exceed four academic years.

RULE 4 – SCHOLARSHIP SELECTION CRITERIA

I. Selection Criteria

The Governor's Scholars selection criteria consist of value points for academic achievement and leadership including: ACT or SAT score, selection as a National Merit or National Achievement Finalist as conducted by the National Merit Scholarship Corporation, high school grade point average, rank in high school class, and leadership in school, community, and/or employment activities. Value points assigned to each selection criterion are weighted as follows:

ACT, SAT Score,	
National Merit Finalist, or	
National Achievement Finalist as conducted by the National Merit Scholarship Corporation -----	45%
Rank in Class -----	10%

Grade Point Average ----- 35%
Leadership----- 10%

ACT scores will be accepted only if they are from tests taken on national test dates or are administered under special conditions approved by ACT and scored by ACT. Only test scores earned by December 31 prior to the application deadline will receive consideration.

Students who score a composite 32 or above on the ACT or a combined 1410 or above on the SAT and who achieve a 3.50 cumulative high school grade point average on a 4.00 scale or were designated as National Merit Finalists, National Hispanic Recognition Program, or National Achievement Finalists in addition to the 32 or 1410 will be eligible to be designated as Governor's Distinguished Scholars.

The Arkansas Department of Higher Education has 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.

High school counselors or principals shall supply high school records to include ACT or SAT examination scores. The principal or counselor will verify the accuracy of the scores. ACT or SAT examinations may be taken more than one time. The highest composite score from any one examination shall be used. Grade point averages are computed based on academic courses only, as defined in program definitions.

The eligible student receiving the highest point total from each county, but who does not meet the criteria for the Governor's Distinguished Scholarship, shall be awarded that county's Governor's Scholars Award. All students who exhibit extraordinary academic ability as defined in the program definitions shall receive the Governor's Distinguished Scholar award provided the total number of such awards does not exceed the maximum number specified in paragraph IIA below. Preference will be given to students who plan to enter college at the beginning of the academic year immediately following their last year of high school attendance.

II. Awarding Scholarships

A. Number of Governor's Scholars and Governor's Distinguished Scholars Awards

One Governor's Scholars award shall be made to a student in each of Arkansas' seventy-five (75) counties. Those applicants selected as county winners are selected according to their county of residence, not by the county where the winner attends high school.

If a county awardee declines the award, the Arkansas Department of Higher Education shall offer the scholarship to the applicant with the next highest point total from that county. Non-Arkansas resident students who attend high school out-of-state, but are eligible due to one parent being a bona fide resident of the

state of Arkansas shall compete in the pool for the Governor's Distinguished Scholars award.

If sufficient funding is available, up to three hundred (300) new Governor's Distinguished Scholars awards may be awarded each year. If there are more than three hundred (300) applicants who meet the criteria for award of the Governor's Distinguished Scholarship, awards will be made in accordance with the selection criteria in Rule 4, Paragraph I above. In this case, if an awardee declines the scholarship, then the award may be offered to the applicant with the next highest point total who meets the Governor's Distinguished Scholar criteria.

B. Notification of Awards

Applicants chosen as Governor's Scholars and Distinguished Scholars shall receive an award packet, which includes an award notice, an acceptance form and an information sheet. The acceptance form includes the student's name, address, social security number, first institutional choice as indicated on the application, and scholarship identification number. The information sheet explains disbursement procedures and conditions of the Arkansas Governor's Scholars Award.

C. Acceptance of Awards

The acceptance of the Governor's Scholars Award is accomplished by signing and returning to the Arkansas Department of Higher Education the acceptance form included in the award packet by the date indicated on the acceptance form. The date by which the acceptance must be returned to the Arkansas Department of Higher Education will be no less than two (2) weeks from the date notices are printed. If the Arkansas Department of Higher Education does not receive the signed acceptance form by the date indicated on the acceptance form, the student will not receive the Arkansas Governor's Scholars Award. The Governor's Scholars Award shall then be offered to the applicant selected in accordance with the procedures in Paragraph II. A. above.

RULE 5 – SCHOLARSHIP PAYMENT POLICIES

I. Limitations of Payment

A. Payment of Scholarships

Funds will be disbursed to the approved institution of the Governor's Scholars choice by state warrant. After verification of full-time enrollment, the institution

shall disburse the Governor's Scholars Award to the student according to the individual institution's disbursement procedures. Disbursement of the Governor's Scholars award shall correspond with the institution's academic terms (semesters, trimesters, quarters, or equivalent time periods). In no instance may the entire amount of the award for an educational year be paid to or on behalf of the student in advance.

B. Transfer to Another Institution of Higher Education

A student who receives a Governor's Scholars Award may transfer to another eligible Arkansas institution of higher education, provided the recipient notifies the Arkansas Department of Higher Education, in writing, of the change of institution by October 1 for the fall term, and by February 1 for the winter and/or spring terms. Failure to notify the Arkansas Department of Higher Education by the specified deadlines shall result in the loss of the Governor's Scholars award for the term in question.

C. Governor's Scholars Program Withdrawal Policy

A recipient shall be continuously enrolled unless the Arkansas Department of Higher Education has approved a leave of absence/scholarship hold. The department shall allow a student to withdraw from the Governor's Scholars/Governor's Distinguished Scholars Program for no more than twenty-four (24) months due to:

6. A medical condition of the recipient or a member of the recipient's immediate family that, on the basis of a physician's good-faith judgment, necessitates the student or the student's immediate family member to be hospitalized or receive outpatient or home-based medical care or recuperation until released by the attending physician;
7. A personal or family emergency that requires the student to:
 - a. Attend the funeral of an immediate family member; or
 - b. Visit a relative of the student if the relative has a medical condition in which death is possible or imminent;
8. Military service under § 6-61-112;
9. A commitment for twelve (12) to twenty-four (24) months of:
 - a. Service in a national or international humanitarian project sponsored by a nonprofit corporation organized with a charitable or educational purpose;
 - b. The student's commitment shall be expressed in a written agreement with the nonprofit organization including the terms of completion for the student's service on the related project;
 - c. The department shall release a scholarship hold if the department determines that the student did not complete the commitment under the written agreement; or

10. Any other reason approved by the Arkansas Department of Higher Education

The recipient must submit a written petition for withdrawal. The petition shall give the reason for withdrawal and be supported by documentation. In the absence of extraordinary circumstances, the award will be revoked if the recipient fails to enroll full-time in an eligible institution in Arkansas, and the Arkansas Department of Higher Education receives neither notification of transfer of the scholarship to another eligible institution, nor a petition for withdrawal by the recipient by October 1 for the fall term and February 1 for the winter and/or spring terms. At the discretion of the Department of Higher Education, the award will not be revoked if it is determined by ADHE that extraordinary circumstances prevented the student from notifying ADHE by the required dates.

D. Renewal of Governor's Scholars Award

Governor's Scholars must complete and pass at least twenty-seven (27) credit hours the first academic year and thirty (30) hours each academic year thereafter, or the equivalent, while maintaining a minimum 3.0 cumulative college grade point average on a 4.0 scale. Students must notify their respective registrars and pay for an official transcript to be sent directly by the institution to the Arkansas Department of Higher Education if requested to do so. Should the Governor's Scholars Award be terminated due to failure to maintain these minimum academic standards, the award shall not be reinstated for a later term.

Governor's Distinguished Scholars must successfully complete and pass at least twenty-seven (27) credit hours the first academic year and thirty (30) hours each academic year thereafter, or the equivalent while maintaining a minimum 3.25 cumulative college grade point average on a 4.0 scale. Should the Governor's Distinguished Scholars Award be terminated due to failure to maintain these minimum academic standards, the award shall not be reinstated for a later term. Those Governor's Distinguished Scholars who maintain a cumulative grade point average of 3.0 or above, but less than 3.25 on a 4.0 scale, will receive \$4,000 per academic year, instead of the higher Governor's Distinguished Scholarship amount.

E. Cancellation of the Governor's Scholars Award and Governor's Distinguished Scholar Award

1. The Governor's Scholars Award and the Governor's Distinguished Scholar Award shall be terminated for any one of the following reasons:

a. Failure to maintain a minimum 3.0 cumulative college grade point average (Governor's Scholars) or a minimum 3.25 cumulative

college grade point average (Governor's Distinguished Scholars) on a 4.0 scale and successfully complete and pass a minimum of at least twenty-seven (27) credit hours the first academic year and thirty (30) hours each academic year thereafter;

- b. Failure to complete a baccalaureate degree within five years from initial college entrance; or
 - c. Failure to petition the Arkansas Department of Higher Education for a temporary withdrawal for two consecutive academic terms; or
 - d. Failure to enroll as a full time student in an eligible Arkansas college or university after a one-year temporary withdrawal.
2. Failure by the Governor's Scholar to provide written notification to the Arkansas Department of Higher Education of a change in status (such as a transfer to another eligible institution, change in address, change in name, etc.) before appropriate deadline dates shall result in cancellation of the Governor's Scholars award for the term in question.

F. Refunds and Overpayments

If a Governor's Scholar withdraws from an eligible institution, and under the refund policy of that institution the student is entitled to a refund of any tuition, fees, or other charges, the institution shall pay the refund amount in question to the Arkansas Department of Higher Education.

Act 1180 of 1999 states that students who receive scholarships from public funds may not use those funds in a financial aid package to exceed the recognized cost of attendance at the institution where the student enrolls. The institution must follow ADHE policy in repaying public funds in the amount exceeding the total cost of attendance for any student who receives public funds in a financial aid package above the cost of attendance.

G. Military Service

Governor's Scholar recipients who are members of the Arkansas National Guard or Armed Forces Reserve units who are called to active duty for reasons other than regular unit training and are unable to complete the current term shall be allowed to repeat the missed term without loss of scholarship credit. In addition, these recipients shall be placed in deferred status until six months after release from active duty, at which time they must be re-enrolled in an approved Arkansas institution.

RULE 6 – INSTITUTIONAL RESPONSIBILITIES

I. Higher Education Institution Responsibilities

A. Administrative Agreement

The chief executive officer of the eligible institution is responsible for appointing one representative from the financial aid office to act as administrator of the Arkansas Governor's Scholars Program and to receive all communications, forms, etc. This representative is responsible for Governor's Scholars disbursement, completion of all forms and rosters, verification of data, and compliance with all Governor's Scholars Program rules and regulations. The institution must comply with the following responsibilities in order to maintain continued eligibility status.

B. Disbursement Records

The institution shall maintain information on the student indicating disbursement of Governor's Scholars funds.

C. Institutional Information Sheet

The administrator is responsible for designating a certifying official responsible for certifying full-time enrollment and a disbursing official responsible for the disbursement of Governor's Scholars Program funds.

D. Institutional Verification

The institution shall provide certification to the Arkansas Department of Higher Education each semester after registration, giving the names of the Governor's Scholars who are officially enrolled as full-time students as of the end of the 11th class day of enrollment. This information is reported on a verification roster. The person responsible for verification of full-time enrollment is the registrar or a member of the registrar's staff. The certifying official is responsible for completing the verification roster twice a year for those schools on the semester system and three times a year for those schools on the quarter system. The verification roster shall be mailed to the Financial Aid Administrator prior to registration for the semester or quarter. The completed and signed Governor's Scholars verification roster shall be returned to the Arkansas Department of Higher Education by the dates specified on the roster. The verification roster is an alphabetical listing by institution of all persons receiving a Governor's Scholars award for a given academic term. Students who are not enrolled full-time in the current term shall not receive Governor's Scholars funds for that term.

E. Deadlines for Disbursement of Funds

All funds must be disbursed within ten days of written receipt of funds. Any outstanding funds not disbursed by these dates must be returned within ten days to the Arkansas Department of Higher Education.

F. Refund Policy

It is the institution's responsibility to notify the Arkansas Department of Higher Education of the name of the person who withdrew, the date of the withdrawal, and the refund amount. This information shall be placed on the institution's verification roster before the roster is returned to the Arkansas Department of Higher Education. The institution shall be responsible for the refund amount and shall pay that amount to the Arkansas Department of Higher Education.

G. Continuing Eligibility

It is the responsibility of each institution to complete annually the Continuing Eligibility roster. This roster shall be mailed to all institutions that have a Governor's Scholar enrolled. The Continuing Eligibility roster shall be returned to the Arkansas Department of Higher Education by the date specified on the roster. The person responsible for completing the Continuing Eligibility roster is the Financial Aid Administrator. The Continuing Eligibility roster is an alphabetical listing by institution of all persons receiving a Governor's Scholars award that attended that institution for the academic year immediately preceding receipt of the Continuing Eligibility roster. The certifying official must complete the roster by providing the number of hours completed for the previous academic year and the cumulative grade point average achieved for each student listed.

H. Due Diligence

The institution shall exercise due diligence in providing complete, accurate, and timely information as requested by the Arkansas Department of Higher Education for any Governor's Scholar or former Governor's Scholar. In addition, the institution shall exercise due diligence in complying with all the rules and regulations of the Arkansas Governor's Scholars Program. The Arkansas Department of Higher Education shall periodically review the institution's records concerning the Governor's Scholars Program in an effort to exercise its due diligence requirements as a steward of State of Arkansas funds.

RULE 7 – GOVERNOR'S SCHOLARS RESPONSIBILITIES

I. Governor's Scholars' Responsibility of Notification

It is the Governor's Scholars' responsibility to notify the Arkansas Department of Higher Education of any change in status within twenty-one days of occurrence. This shall include:

- Change in name
- Change in residence
- Change in institution attending
- Change in full-time status (twelve college credit hours, or its equivalent per semester for the first semester and fifteen credit hours, or its equivalent, for every semester thereafter)

Failure to notify the Arkansas Department of Higher Education of any of the above changes within twenty-one days of occurrence shall adversely affect participation in the Governor's Scholars Program.

RULE 8 – PROGRAM DEFINITIONS

The following definitions are used in the Governor's Scholars Program:

ACADEMIC ABILITY

The intellectual standing of the student as determined by examining the Governor's Scholarship applicant's high school records, competitive examination scores, and demonstrated leadership capabilities.

EXTRAORDINARY ACADEMIC ABILITY

Achievement of a composite score of 32 or above on the ACT or combined 1410 score or above on the SAT and achievement of a high school core curriculum grade point average of 3.5 or above on a 4.0 scale; or

Selection as a finalist in either the National Merit Scholarship competition or the National Achievement Scholarship competition conducted by the National Merit Scholarship Corporation.

ACADEMIC COURSES

All courses completed in high school in the areas of mathematics, English, science, social science and foreign languages.

APPROVED INSTITUTION

A public or private college or university located in Arkansas which:

- is dedicated to educational purposes;
- is accredited by an accrediting agency certified and recognized by the United States Department of Education or the division of Agency Evaluation and Institutional

Accreditation, or gives satisfactory assurance that it has the potential for accreditation and is making progress which, if continued, will result in its achieving accreditation;

- does not discriminate in the admission of students on the basis of race, color, religion, sex, age, handicap, or national origin consistent with the provisions of applicable state and federal laws; and
- subscribes to the principles of academic freedom;
- OR is an out-of-state institution educating Arkansas residents in dentistry, optometry, veterinary medicine, podiatry, chiropractic, or osteopathy under agreement with the Board of Control for Southern Regional Education at which students enroll in a postgraduate program.
- Complies with Act 1014 of 2005 regarding providing written, signed eight (8) semester course of study required for a bachelor's degree to incoming freshmen.

Governor's Distinguished Scholars

Applicants who meet the definition of extraordinary academic ability stated above.

End of Course

EXAMINATION

Those examinations as defined in ACA 6-15-419(4).

U.S. CITIZEN

The student must be either a United States citizen or a permanent resident alien. If the student is not a United States citizen, but a permanent resident alien, the student must attach a copy of the permanent resident alien form I-151, I-551, I-94, or G-641 to the application.

FULL-TIME STUDENT

A student who is enrolled in at least twelve (12) semester credit hours the first semester and 15 credit hours thereafter, or the equivalent, per semester. Those students in their eighth semester on the Governor's Scholarship or Governor's Distinguished Scholarship AND are set to graduate following that eighth semester shall be exempt from the fifteen (15) credit hour requirement.

UNDERGRADUATE STUDENT

A student who is enrolled in a postsecondary education program

which leads to or is directly creditable toward the individual's first baccalaureate degree

RULES
LAW ENFORCEMENT OFFICERS' DEPENDENTS SCHOLARSHIP PROGRAM

The Law Enforcement Officers' (LEO) Dependents Scholarship program provides an eight-semester scholarship to any state-supported college, university, or technical institute in Arkansas to dependents of Arkansas residents in one of the categories below who were killed or permanently disabled in the line-of-duty:

- Law enforcement officers
- Full-time or volunteer firefighters
- Municipal and/or college or university police officers
- Sheriffs or deputy sheriffs
- Constables
- Game Wardens
- Certain Arkansas Highway and Transportation Department employees
- State forestry employees engaged in fighting forest fires
- State correction employees killed or totally disabled due to contact with inmates or parolees
- State park employees who are commissioned law enforcement officers or emergency response employees
- Emergency Medical Technicians
- Department of Community Punishment employees

The scholarship will pay the cost of tuition, fees and dormitory room charges when provided in campus-owned facilities.

Act 1217 of 2009 established renewal criteria in order to retain eligibility for the LEO program. Recipients must maintain a minimum of a 2.0 grade point average on a 4.0 scale

In compliance with the Administrative Procedures Act of 1979, a public hearing was announced in a newspaper of general circulation to discuss the rules and regulations that will govern the Law Enforcement Officers' Dependents Scholarship Program. The hearing will be held on July 31, 2009, in conjunction with a meeting of the Arkansas Higher Education Coordinating Board.

The following resolution is offered for the Board's consideration:

RESOLVED, That the Arkansas Higher Education Coordinating Board adopts the rules and regulations presented in this agenda item for the Law Enforcement Officers' Dependents Scholarship Program, to be administered jointly by the Arkansas Department of Higher Education and approved Arkansas Institutions of Higher Education.

FURTHER RESOLVED, That by the adoption of the rules and regulations presented in this agenda item, the Director of the Arkansas Department of Higher Education or her

designee is authorized to promulgate these rules and regulations and to implement them for the 2009-2010 academic year.

FURTHER RESOLVED, That the Director of the Arkansas Department of Higher Education or her designee is authorized to make technical changes and corrections when necessary in the program rules for the Law Enforcement Officers' Dependents Scholarship Program.

Citation: [6-82-501-506](#)

LAW ENFORCEMENT OFFICERS' DEPENDENTS SCHOLARSHIP PROGRAM
RULES AND REGULATIONS

RULE 1 – ORGANIZATION AND STRUCTURE

- I. The Arkansas Department of Higher Education shall administer the Law Enforcement Officers' Dependents Scholarship Program within the policies set by the Arkansas Higher Education Coordinating Board. All formal communications shall be addressed to or signed by the Director of the Arkansas Department of Higher Education or his/her designee.
- II. The final responsibility for determining eligibility of scholarship recipients shall rest with the Director of the Arkansas Department of Higher Education pursuant to the provisions of Act 521 of 1973, Act 47 of 1983, Act 190 of 1989, Act 153 of 1993, Act 1034 of 1999, Act 113 of 2001, Act 158 of 2001 and Act 172 of 2007, Act 1217 of 2009 and any subsequent legislation.
- III. When functioning under Act 521 of 1973, Act 47 of 1983, Act 190 of 1989, Act 153 of 1993, Act 1034 of 1999, Act 113 of 2001, Act 158 of 2001, Act 172 of 2007, Act 1217 of 2009 and any subsequent legislation. The Arkansas Department of Higher Education shall follow the provisions of the Administrative Procedures Act.

RULE 2 – SCHOLARSHIP ELIGIBILITY CRITERIA

- I. In order to be eligible for the Law Enforcement Officers' Dependents Scholarship, the student must be a natural child, adopted child, step child, or spouse of an Arkansas law enforcement officer, fireman, state highway employee, state forestry employee, state correction employee, state park employee, teacher, or Department of Community Punishment employee who was killed or permanently and totally disabled as a result of injuries or wounds which occurred in the performance of duty or in the course of going to or returning from a location where a hazardous situation existed. Scholarship benefits shall not accrue to the dependents if the wounds or injuries suffered by the law enforcement officer, fireman, state highway employee, state forestry employee, state correction employee, state park employee, teacher, or Department of Community Punishment employee are self-inflicted or if death is self-induced.

A law enforcement officer means:

- A. State highway patrolman, which includes any law enforcement officer, regardless of department or bureau, of the Department of Arkansas State Police;

- B. Municipal and college or university police officers, which includes all law enforcement officers of any municipality, college, or university who are regular duty personnel on full-time status and does not include auxiliary officers or those serving on a temporary or part-time status;
- C. Sheriff or deputy sheriff, which includes all law enforcement officers of full-time status on a regular basis serving the sheriff's department of any county located in Arkansas, but does not include deputy sheriffs who are engaged in administrative or civil duty or deputy sheriffs serving in a temporary capacity or part-time basis;
- D. Constable, which includes all duly elected constables of any beat of any county within the State of Arkansas while actually engaged in the performance of their duties concerning the criminal laws of the county and state; and,
- E. Game warden, which includes all appointed game wardens employed by the State of Arkansas on a full-time duty status while actually engaged in their duties concerning the game laws of this state.

A fireman means:

- A. Any fireman employed on a full-time or volunteer duty status while actually engaged in the performance of his or her duties;

A state highway employee means:

- A. An Arkansas Highway and Transportation Department employee, which is defined as any employee who actively engages in highway maintenance, construction, or traffic operations on the roadways and bridges of the state highway system while the roadways and bridges are open for use by the traveling public;

A state forestry employee means:

- A. An employee of the State Forestry Commission who is actively engaged in his or her duties of fighting forest fires;

A state correction employee means:

- A. Any employee of the Department of Correction or the Department of Correction School District who becomes subject to injury through contact with inmates or parolees of the department;

A state park employee means:

- A. Any employee of the State Parks Division of the Department of Parks and Tourism who is a commissioned law enforcement officer or emergency response

employee while actively engaged in the performance of his or her duties; and,

A teacher means:

- A. Any person employed by a public school for the purpose of giving instructions and whose employment requires state certification.

A Department of Community Punishment employee means:

- A. Any employee of the Department of Community Punishment who suffers fatal injuries or wounds or becomes permanently and totally disabled as a result of injuries or wounds which occurred through contact with parolees, probationers, or center residents.

II. To be eligible to receive the Law Enforcement Officer's Dependents Scholarship, the applicant must be:

- A. A child must have been born prior to the date of the death or total and permanent disability (See Rule 2, Section I);
- B. An adopted child must have been adopted prior to or the adoption process must have begun prior to the date of the death or total and permanent disability (See Rule 2, Section I);
- C. A stepchild must have been listed as a dependent on the federal and state income tax returns in each of the five (5) income tax years immediately prior to the death or total and permanent disability and must have received more than one-half (1/2) his or her financial support (See Rule 2, Section I)
- D. Enrolled or accepted for enrollment as an undergraduate student in any Arkansas state-supported college, university or technical institute,
- E. Less than twenty-three (23) years old on or before the first day of the semester or quarter, unless the applicant is a spouse, and,
- F. A bona fide resident of Arkansas, as defined by the Arkansas Department of Higher Education, for at least six (6) months prior to enrollment in an Arkansas institution.

III. Continued Eligibility

The scholarship will be awarded for one academic year and renewed annually up to three years (for a total of 8 semesters) so long as the student maintains a minimum of a 2.0 grade point average on a 4.0 scale and satisfactory progress toward a degree as defined by the institution.

- IV. The spouse will not be eligible for the educational benefits if he or she re-marries. The benefits will cease at the end of the semester in which the spouse is currently enrolled at the time of the marriage.

RULE 3 – APPLICATION PROCESS

I. Applications

- A. Applications and brochures regarding the Law Enforcement Officers' Dependents Scholarship are mailed to the following:
1. Counselors and principals at all public and private high schools in the State; and,
 2. Financial aid officers at all public colleges, universities, and public technical institutes in the state. The institutional financial aid officer is responsible for ensuring that eligible students at their institution are made aware of the Law Enforcement Officers' Dependents Scholarship Program and its benefits.
- B. Applications will be made available online from the Arkansas Department of Higher Education.

II. Submission of Applications

- A. The Arkansas Department of Higher Education shall establish the deadline for receipt of applications. The deadline date shall be clearly printed on the application.
- B. Scholarship applicants shall submit to the Arkansas Department of Higher Education the following:
1. The Law Enforcement Officer's Dependents Scholarship Application;
 2. Documentation in the form of a Death Certificate;
 3. Order & Finding of Facts from the Arkansas State Claims Commission;
 4. A copy of birth certificate, if a dependent child; and,
 5. A copy of their marriage license, if a spouse.

- C. The applicant must apply for the scholarship prior to the published deadline in order to receive the scholarship. Reimbursement can only be made for the year in which the student is currently enrolled and has made application.

RULE 4 – AWARD PROCESS

- I. Applications and supporting documentation will be reviewed for completeness and to determine whether the applicant meets all the required eligibility requirements. Applicants will be notified within thirty (30) days of receipt of all required documentation of the status of their application.
- II. Eligible students will receive an award notice that contains the conditions of the award, the requirements for continued eligibility, an explanation of the benefits, and the student's responsibilities.
- III. The institution will also receive an award notice that contains the student's name and social security number, the award limits, the conditions of the award, the verification process, and the payment process. The institution will be asked to complete a Reimbursement Form listing all charges covered by this program.
- IV. The institution will be responsible for verifying the student's continuing eligibility each semester.
- V. The award will be renewed annually as long as the student satisfies the continued eligibility requirements as Rule 2, Section V.

RULE 5 – SCHOLARSHIP PAYMENT POLICIES

- I. A recipient may receive up to eight (8) semesters of tuition and fee waivers from the scholarship program. Payment to the scholarship recipient will be in the form of a tuition and fee waiver at the recipient's institution. The Arkansas Department of Higher Education will reimburse the institution upon verification of enrollment after the 11th day of classes each semester for approved charges.
- II. The scholarship will pay the cost of tuition at the in-state rate and room in school-owned housing at any state-supported college, university or technical institute within the State of Arkansas. It does not include the cost of the following:
 - A. Books
 - B. Food

C. School supplies and materials

D. Dues and fees for extracurricular activities

III. The Arkansas Department of Higher Education will pay the institution for tuition and fees covered by this program at the beginning of each term upon receipt of the Reimbursement Form and verification of the charges.

A. Transfer Policy

A recipient who has received a Law Enforcement Officers' Dependents Scholarship may transfer to another eligible institution provided the Arkansas Department of Higher Education receives written notification of the change of status by October 1 for the Fall Term, February 1 for the Winter/Spring Terms, and May 1 for the Summer Terms.

B. Withdrawal Policy

Recipients may withdraw from the Law Enforcement Officers' Dependents Scholarship Program upon written notification to, and approval by, the Arkansas Department of Higher Education. The petition shall give the reason for withdrawal and shall be supported with documentation.

C. Revocation Policy

The award will be revoked if the recipient fails to:

1. Enroll in an eligible Arkansas institution;
2. Notify the Arkansas Department of Higher Education, in writing, of transfer to another eligible institution by October 1 for the Fall term, February 1 for the Winter and/or Spring Terms, and May 1 for the Summer Terms; or,
3. Petition the Arkansas Department of Higher Education, in writing, for withdrawal from an institution by October 1 for the Fall Term, February 1 for the Winter/Spring Terms, and May 1 for the Summer Terms.
4. Maintain a minimum GPA of 2.0 on a 4.0 per academic year.

At the discretion of the Arkansas Department of Higher Education, the award will not be revoked if the ADHE determines that extraordinary circumstances prevented the student from notifying ADHE by the required dates.

D. Military Service

Recipients who are members of the Arkansas National Guard or Armed Forces Reserves units who are called to active duty for reasons other than regular unit training and are unable to complete the current term will not be penalized. They will be placed on deferred status until six (6) months after release from active duty.

RULE 6 – INSTITUTIONAL RESPONSIBILITIES

I. Administrative Agreement

The chief executive officer of the state-supported institution of higher education or technical institute is responsible for appointing one representative from the Financial Aid Office to act as administrator of the Law Enforcement Officers' Dependents Scholarship Program and to receive all communications and forms issued by the Arkansas Department of Higher Education. This representative is responsible for completing all forms, verification of data, and complying with all program rules and regulations.

The institution must comply with the following responsibilities in order to maintain continued eligibility status:

A. Verification

The institution shall provide verification to the Arkansas Department of Higher Education at the close of each term concerning the student's continuing eligibility. This is accomplished using the Verification Form issued by the Department. Reimbursement to the institution will be made after the institution has completed the Verification Form and the Reimbursement Form and returned them to the Arkansas Department of Higher Education.

B. Identification of Eligible Students

Institutions will be responsible for publicizing the program and identifying students eligible for the program. Reimbursement can only be made for the year in which the student is currently enrolled and has made application. Applications made after May 1 of the academic year in which the student is enrolled will not be considered and the student will not be eligible for the scholarship.

C. Disbursement Records

The institution shall maintain information on the student indicating disbursement of these funds.

D. Deadline for Disbursement of Funds

The deadline for disbursement of funds is no later than 10 days after written receipt of funds. Any outstanding funds not disbursed must be returned to ADHE.

E. Refund Policy

It is the institution's responsibility to notify ADHE of the names of any persons owing a refund, the date of the withdrawal, and the refund amount. This information should be placed on the institution's verification roster before returning it to ADHE.

F. Act 1180 of 1999 states that students who receive scholarships from public funds may not use those funds in a financial aid package to exceed the federally recognized cost of attendance at the institution where the student enrolls. The institution must follow ADHE policy in repaying public funds in the amount exceeding the total cost of attendance for any student who receives public funds in a financial aid package above the cost of attendance.

G. Due Diligence

The institution will exercise due diligence in providing complete, accurate, and timely information as requested by the Arkansas Department of Higher Education on any scholarship recipient. In addition, the institution will exercise due diligence in complying with all the rules and regulations of the Law Enforcement Officers' Dependents Scholarship Program.

RULE 7 – RECIPIENT RESPONSIBILITIES

- I. The recipient must notify the Arkansas Department of Higher Education, in writing, of any change in status within 30 days. This includes changes in:
- A. Name;
 - B. Address;
 - C. Institution; and/or,
 - D. Withdrawal from an institution.

Failure to notify the Arkansas Department of Higher Education of a change in status may affect future eligibility.

- II. It is also the recipient's responsibility to be knowledgeable of the rules and regulations of the Law Enforcement Officers' Dependents Scholarship Program.

RULE 8 – PROGRAM DEFINITIONS

The following definitions are used in the Law Enforcement Officers' Dependents Scholarship Program:

Approved Institution	A state-supported two-year or four-year college or university or technical institute located in the State of Arkansas that is accredited by the North Central Association, Commission on Higher Education, or has achieved candidacy status, and does not discriminate against applicants, or employees on the basis of race, color, religion, sex, age, handicap, or national origin, consistent with the provisions of applicable state and federal laws.
Dependent	A spouse, natural child, adopted child, or step child of an Arkansas law enforcement officer, fireman, state correction employees, state forestry employees, certain Arkansas Highway and Transportation Department employees, state parks employees, teacher, or Department of Community Punishment employees killed or totally and permanently disabled in the line of duty.
Satisfactory Progress	Satisfactory academic progress toward a degree as defined by the institution.

RULES
MILITARY DEPENDENTS SCHOLARSHIP PROGRAM

The Military Dependents Scholarship Program (MDS), provides financial aid for undergraduate students seeking a bachelor's degree or certificate of completion at any public college, university or technical school in Arkansas who qualify as a spouse or dependent child of an Arkansas resident who has been declared to be missing in action, killed in action, a prisoner of war, or killed on ordnance delivery, or a veteran who has been declared to be 100% totally and permanently disabled during, or as a result of, active military service.

The scholarship provides assistance with the cost of tuition at the in-state rate, room and meal plan when provided in campus facilities, and mandatory fees that include general registration fees, any special course fees and activity fees.

The changes made to the MDS rules reflect updates in the governing legislation and application process for the program.

In compliance with the Administrative Procedures Act of 1979, a public hearing was announced in a newspaper of general circulation to discuss the rules and regulations that will govern the Military Dependents Scholarship Program. The hearing will be held on July 31, 2009, in conjunction with a meeting of the Arkansas Higher Education Coordinating Board.

The following resolution is offered for the Board's consideration:

RESOLVED, That the Arkansas Higher Education Coordinating Board adopts the rules and regulations presented in this agenda item for the Military Dependents Scholarship Program, to be administered jointly by the Arkansas Department of Higher Education and approved Arkansas Institutions of Higher Education.

FURTHER RESOLVED, That by the adoption of the rules and regulations presented in this agenda item, the Director of the Arkansas Department of Higher Education or her designee is authorized to promulgate these rules and regulations and to implement them for the 2009-2010 academic year.

FURTHER RESOLVED, That the Director of the Arkansas Department of Higher Education or her designee is authorized to make technical changes and corrections when necessary in the program rules for the Military Dependents Scholarship Program.

Citation: [6-82-601-602](#)

MILITARY DEPENDENTS SCHOLARSHIP PROGRAM

RULES AND REGULATIONS

RULE 1 – ORGANIZATION AND STRUCTURE

- I. The Arkansas Department of Higher Education shall administer the Military Dependents' Scholarship Program within the policies set by the Arkansas Higher Education Coordinating Board. All formal communications shall be addressed to or signed by the Director of the Arkansas Department of Higher Education or his/her designee.
- II. The final responsibility for determining eligibility of scholarship recipients shall rest with the Director of the Arkansas Department of Higher Education pursuant to the provisions of Act 188 of 1973, Act 2127 of 2005, Act 717 of 2007, Act 1216 of 2009 and subsequent legislation.
- III. When functioning under Act 188 of 1973, Act 2127 of 2005, Act 717 of 2007, Act 1216 of 2009 and subsequent legislation, the Arkansas Department of Higher Education shall follow the provisions of the Administrative Procedures Act.

RULE 2 – SCHOLARSHIP ELIGIBILITY CRITERIA

- I. To be eligible for the Military Dependents' Scholarship, an applicant must meet the following conditions:
 - A. The student's parent or spouse must have been declared to be a disabled veteran, prisoner of war, missing in action, killed in action, or killed on ordnance delivery during the course of active military duty after January 1, 1960.
 - B. The student's parent or spouse must have been a resident of the State of Arkansas at the time he/she entered service in the United States Armed Services, or whose official residence is currently within the State of Arkansas.
 - C. The dependent child or spouse of a person declared to be a prisoner of war or missing or killed in action, or a person killed on ordnance delivery, or a disabled veteran must be a current resident of Arkansas.
 - D. The student must qualify as the dependent of a disabled veteran, prisoner of war or a person declared to be missing or killed in action, or killed on ordnance delivery by meeting one of the following criteria:

1. The student is the legal spouse of a person declared to be a prisoner of war, missing or killed in action, or killed on ordnance delivery or a person declared to be a disabled veteran or,
 2. The dependent child must be the biological child of the parent who was declared to be a prisoner of war or missing or killed in action, or killed on ordnance delivery, or a disabled veteran; or,
 3. The dependent child is legally adopted or in legal custody of the guardian that was declared to be a prisoner of war or missing or killed in action or killed on ordnance delivery, or a disabled veteran.
 4. The dependent child must meet the U.S. Department of Education's definition of dependent with regards to children.
 5. A stepchild is not eligible for this scholarship unless he/she has been legally adopted by the parent who was declared to be a prisoner of war or missing or killed in action, or killed on ordnance delivery, or a disabled veteran.
- E. The applicant must apply for the Dependents' Educational Assistance Program (DEA) Chapter 35 of Title 38 of the U.S. Code with the Department of Veterans Affairs.
- F. The applicant must be enrolled or accepted for enrollment as a full-time student in a public college or university in Arkansas.
- G. The applicant must be an undergraduate student seeking an associate's degree, a baccalaureate degree or certificate of completion.
- H. The applicant must apply for the scholarship prior to the published deadline in order to receive the scholarship. Reimbursement can only be made for the year in which the student is currently enrolled and has made application.
- II. Once a person qualifies as an eligible student under the terms of the program, there shall be no situation, such as the return of a parent or spouse, or the reported death of a parent or spouse that will remove the dependent from the benefits of this program.
- III. Continued Eligibility

An eligible recipient shall receive a scholarship for one (1) academic year, renewable for up to three (3) additional academic years if the recipient meets the following continuing eligibility criteria established by ADHE:

1. The student must maintain a cumulative grade point average of at least 2.0 on a 4.0 scale.
2. The student is making satisfactory progress toward a degree or certificate of completion;
3. The student is enrolled in at least twelve semester hours or the equivalent per semester and completes 24 semester hours, or the equivalent, per academic year.

RULE 3 – APPLICATION PROCESS

I. Applications

- A. Brochures are mailed to counselors and principals at public and private Arkansas high schools.
- B. Brochures are mailed to financial aid officers at public colleges and universities in the state of Arkansas. The institutional financial aid officer is responsible for ensuring that eligible students are made aware of the Military Dependents' Scholarship Program and its benefits.
- C. Applications will be made available online from the Arkansas Department of Higher Education.

II. Submission of Applications

- A. The Arkansas Department of Higher Education shall establish the deadline for receipt of applications. The deadline date shall be clearly printed on the application.
- B. Scholarship applicants shall submit to the Arkansas Department of Higher Education the following documentation as it applies to the applicant:
 1. Military Dependents' Scholarship Application;
 2. A death certificate or other documentation certifying the death of the parent or spouse. A death as a result of injuries received while serving in the armed forces is only covered if the death occurred while on active duty.
 3. A Report of Casualty from the appropriate branch of the United States Armed Services or a copy of the veteran's DD214 form;

4. Documentation from the federal Department of Veterans Affairs citing service-connected, one hundred percent (100%) total and permanent disability;
5. A copy of the application and statement of acceptance or denial of the federal program for dependents of veterans, Dependents' Educational Assistance Program (DEA).
6. A copy of DEA benefits statement showing the amount of educational assistance allowed for each term.
7. A copy of legal adoption or court appointed legal guardianship for a dependent child;
8. A copy of birth certificate, if a dependent child;
9. A copy of marriage license, if a spouse.

RULE 4 – AWARD PROCESS

- I. Applications and supporting documentation will be reviewed for completeness and to determine whether the applicant meets all the eligibility requirements. Applicants will be notified within 30 days of the status of their application.
- II. Eligible students will receive an award notice, which contains the conditions of the award, the requirements for continued eligibility, an explanation of the benefits, and the student's responsibilities.
- III. The institution will also receive an award notice, which contains the student's name, social security number, award limits, conditions of the award, verification process, and payment process. The institution will be required to complete a Reimbursement Form listing all charges covered by this program.
- IV. The institution will be responsible for verifying the student's continued eligibility each semester.
- V. The award will be renewed annually provided the student satisfies the continued eligibility requirements as defined by the Arkansas Department of Higher Education in Rule 2, Section III.
- VI. Reimbursement can only be made for the year in which the student is currently enrolled and has made application.

RULE 5 – SCHOLARSHIP PAYMENT POLICIES

- I. The scholarship will pay that portion of charges that exceeds the amount of the DEA educational assistance allowance OR the full amount if the recipient is ineligible for DEA, but is eligible for the MDS. Reimbursement is limited to the cost of tuition at the in-state rate, mandatory fees, and a room and meal plan when provided in campus facilities from such institution or school. The amount reimbursed for the room shall not exceed the usual and custom amounts charged by the institution as for similar scholarship programs.
- II. Payment on behalf of the scholarship recipient will be made directly to the recipient's institution. The Arkansas Department of Higher Education will reimburse the institution at the beginning of each semester for approved charges covered by this program upon receipt of the Reimbursement Form, and verification of the charges. Reimbursement can only be made for the year in which the student is currently enrolled and has made application.
- III. The Arkansas Department of Higher Education will pay the institution for the award covered by this program upon receipt of the Reimbursement Form, and verification of the charges.

- A. Transfer Policy

A recipient who has received a Military Dependents' Scholarship may transfer to another eligible institution provided the Arkansas Department of Higher Education receives written notification of the change of status by October 1 for the Fall Term, February 1 for the Winter/Spring Terms, and June 1 for the Summer Terms. Failure to notify the Arkansas Department of Higher Education of the transfer by the deadline will disqualify the student for waiver of tuition and fees at the institution to which he/she has transferred.

- B. Withdrawal Policy

Recipients may withdraw from the Military Dependents' Scholarship Program upon written notification to, and approval by, the Arkansas Department of Higher Education. The petition shall give the reason for withdrawal and will be supported with documentation. Recipients who withdraw from school and fail to notify the Arkansas Department of Higher Education by October 1 for the Fall term, February 1 for the Winter and/or Spring terms, and June 1 for the Summer terms will not be eligible for a tuition waiver for that semester. The recipient may receive the tuition waiver if he/she can demonstrate that extraordinary circumstances prevented him/her from notifying the Arkansas Department of Higher Education.

- C. Revocation Policy

The award will be permanently revoked if the recipient fails to enroll full-time and the Arkansas Department of Higher Education receives neither written notification of transfer to another eligible institution, nor a petition for withdrawal by the recipient by October 1 for the Fall Term, February 1 for the Winter/Spring Terms and June 1 for the Summer Terms. At the discretion of the Arkansas Department of Higher Education, the award will not be revoked if the Department determines that extraordinary circumstances prevented the student from notifying the Department by the required dates.

D. Military Service

Recipients who are members of the Arkansas National Guard or Armed Forces Reserve units who are called to active duty for reasons other than regular unit training and are unable to complete the current term will not be penalized. They will be placed in deferred status until six (6) months after release from active duty.

- IV. Act 1180 of 1999 states that students who receive scholarships from public funds may not use those funds in a financial aid package to exceed the federally recognized cost of attendance at the institution where the student enrolls. The institution must follow ADHE policy in repaying public funds in the amount exceeding the total cost of attendance for any student who receives public funds in a financial aid package above the cost of attendance.

RULE 6 – INSTITUTIONAL RESPONSIBILITIES

I. Administrative Agreement

The chief executive officer of the state-supported institution of higher education is responsible for appointing one representative from the Financial Aid Office to act as administrator of the Military Dependents' Scholarship Program and to receive all communications and forms issued by the Arkansas Department of Higher Education. This representative is responsible for completing all forms, verification of data, and complying with all program rules and regulations. The institution must comply with these responsibilities in order to maintain continued eligibility status.

II. Verification

The institution shall provide verification to the Arkansas Department of Higher Education (ADHE) at the close of each term concerning the student's name and continuing eligibility. This is accomplished using the Verification Form issued by the Department. Reimbursement to the institution will be made after the institution has completed the Verification Form and the Reimbursement Form and returned them to the Arkansas Department of Higher Education.

III. Identification of Eligible Students

Institutions will be responsible for exercising all reasonable efforts to identify students eligible for the program. Reimbursement can only be made for the year in which the student is currently enrolled and has made application.

IV. Deadline for Disbursement of Funds

The deadline for disbursement of funds is no later than 10 days after written receipt of funds. Any outstanding funds not disbursed must be returned to the Arkansas Department of Higher Education.

V. Refund Policy

It is the institution's responsibility to notify ADHE of the names of persons owing a refund, the date of the withdrawal and the refund amount. This information should be placed on the institution's verification roster before returning it to ADHE.

VI. Due Diligence

The institution will exercise due diligence in providing complete, accurate, and timely information as requested by the Arkansas Department of Higher Education on any scholarship recipient. In addition, the institution will exercise due diligence in complying with all the rules and regulations of the Military_Dependents' Scholarship Program.

RULE 7 – RECIPIENT RESPONSIBILITIES

I. It is the recipient's responsibility to notify the Arkansas Department of Higher Education, in writing, of any change in status within 21 days. This includes:

- A. Changes in name, or
- B. Change in address, or
- C. Change in Institution, or
- D. Change in full-time status, or
- E. Withdrawal from an institution.

Failure to notify the Arkansas Department of Higher Education of any change in status may affect future eligibility.

RULE 8 – PROGRAM DEFINITIONS

The following definitions are used in the Military Dependents' Scholarship Program:

Approved Institution	A public college or university or technical school located in Arkansas that is accredited by the North Central Association Commission on Higher Education, or has achieved candidacy status, and does not discriminate against applicants, or employees on the basis of race, color, religion, sex, age, handicap, or national origin, consistent with the provisions of applicable state and federal laws.
Dependent Child	Any child born or conceived, been legally adopted, or under court appointed legal guardianship of a person who has been declared to be a prisoner of war or missing or killed in action, or killed on ordnance delivery, or a disabled veteran, AND who meets the definition of dependent with regards to children established by the U.S. Department of Education. Stepchildren are not eligible unless legally adopted as stated above.
Dependent Spouse	The legal spouse of a person who has been declared to be a prisoner of war or missing or killed in action, or killed on ordnance delivery, or a disabled veteran.
Disabled Veteran	A person who has been declared by the Federal Department of Veterans Affairs to be one hundred percent (100%) totally and permanently disabled as a result of service-connected injuries or medical conditions AND who is currently receiving special monthly compensation for such, AND who was a resident of the State of Arkansas at the time that person entered the service of the U.S. armed forces OR who is a current resident of Arkansas.
Full-time Student	An undergraduate student enrolled in at least twelve (12) semester credit hours, or its equivalent, per semester.
Satisfactory Progress	Undergraduate students must maintain a cumulative college grade point average of at least 2.0 on a 4.0 scale, and make satisfactory progress toward a degree or certificate of completion, as defined by the institution.
Fees Waived	Includes tuition at the in-state rate, room and board when provided in campus facilities, fees or other charges incurred from

the approved institution. Non-reimbursable charges would include any penalty charges, including but not limited to, parking tickets, or other penalty payments.

**REPEAL OF THE RULES AND REGULATIONS
ARKANSAS STUDENT ASSISTANCE GRANT PROGRAM**

This agenda item proposes the repeal of the rules and regulations for the Arkansas Student Assistance Grant Program, which is necessary to comply with state law under Act 2142 of 2005. In addition, the 2005 Arkansas General Assembly moved the entire appropriation for the Student Assistance Grant Program into the Arkansas Workforce Improvement Grant Program, which leaves no statutory funding for the program.

The Arkansas Student Assistance Grant Program was established in 1977 as a grant program for students who desired a college education but were prevented from attending college due to financial barriers. The original intent of the program was to provide a grant that would assist students in covering the cost of tuition and fees. By statute, the maximum award was set at \$800 per year, although the rules and regulations set the award amount at \$600 per year in an effort to award more students. Due to the large number of Arkansas college students with financial need, and the inability to fund every eligible student applicant, a system was devised to award those eligible students who applied first. Although the application deadline was set at April 1, for at least the last two previous years, funds were exhausted by late February or early March of the application year.

Of primary concern to ADHE staff was the method by which grantees were selected. By using a “first-come, first-served” methodology, it appeared that two groups of students were ensured of receiving a Student Assistance Grant: (1) high school students who have the benefit of quality guidance counseling to notify them to apply early, and (2) “knowledgeable” students who understand the federal financial aid process and know about the importance of applying early. This process leaves out any deserving needy student who may not be able to make an early decision as to whether they can attend college.

Another significant concern is the small award amount. The grant of \$300 per semester for full-time enrollment will generally not make the difference in whether a student will be able to attend college. Most Arkansas four-year colleges and universities estimate the cost of books alone to be over \$500 per semester. Originally the Student Assistance Grant covered almost 50% of the tuition costs; today it covers less than 15%.

In that the state has a strong financial assistance program for traditional students in the Arkansas Academic Challenge Scholarship Program, it made sense to dedicate this need-based program to non-traditional, or independent students. Absorbing Student Assistance Grant funds into the Workforce Improvement Grant ensures the state’s commitment to help the most needy students (that comprise over a third of the state’s college student population) to earn a college degree. It makes sense to allocate more resources to help our non-traditional “working poor” students for the following reasons:

- 1) Arkansas continues to rank last or near last in the number of adults per**

capita with a college degree; and

- 2) Increasing the number of adult Arkansans with a college degree will ensure substantial growth in the economy due to increased earning power of its citizens.**

In compliance with the Administrative Procedures Act of 1979, a public hearing was announced in a newspaper of general circulation to discuss the repeal the rules and regulations of the Arkansas Student Assistance Grant Program. The hearing will be held in conjunction with this meeting of the Arkansas Higher Education Coordinating Board.

The following resolution is offered for the Board's consideration:

RESOLVED, That the Arkansas Higher Education Coordinating Board repeals the rules and regulations presented in this agenda item for the Arkansas Student Assistance Grant Program.

Approved: Agenda Item No. 34
 July 23, 1999

 Agenda Item No. 28
 April 21, 2000

 Agenda Item No. 17
 July 29, 2005

Citation: [6-82-201-213](#)

**SECOND EFFORT SCHOLARSHIP PROGRAM
RULES AND REGULATIONS
(REVISED)**

The revisions to the rules and regulations for the Second Effort Scholarship program presented in this agenda item are necessary to comply with Act 262 of 1995 (Ark. Code Ann. 6-82-1101) and to provide more efficient administration of the program.

The Second Effort Scholarship Program was created in 1991 by the Arkansas General Assembly to encourage those who complete the General Education Development (GED) Program and pass the GED test to enroll in a postsecondary education program. As further encouragement, the 1995 General Assembly amended the original legislation to permit recipients of this scholarship to enroll part-time, rather than requiring full-time enrollment. Nontraditional students are typically the recipients of this scholarship and this amendment will help every qualified applicant to accept the award. In addition, the amendment allows recipients to receive up to \$250 per three credit hour course or \$500 per semester or the price of tuition, whichever is less.

The second proposed revision to this program is in the application process. Existing rules and regulations require that award notices be sent to the top ten scorers each year and that applications be sent to those whose scores rank 11 - 25 when the award is declined by any of the top ten. Revising the process to send applications to those whose scores rank 11 - 25 will accelerate the completion of awarding the scholarships by several months.

In compliance with the Administrative Procedures Act of 1979, a public hearing has been announced in a newspaper of general circulation to discuss the rules and regulations that will govern the Arkansas Governor's Scholars Program. The hearing was part of the February 2, 1996, SBHE meeting.

The following resolution was approved by the State Board on February 2, 1996 (Agenda Item No. 23):

RESOLVED, That the State Board of Higher Education adopts the rules and regulations presented in this agenda item for the Second Effort Scholarship Program administered by the Arkansas Department of Higher Education.

FURTHER RESOLVED, That, by the adoption of these rules and regulations, the rules and regulations approved on January 24, 1992, are amended.

FURTHER RESOLVED, That, should any errors of a technical nature be found in these rules and regulations, the State Board of Higher Education authorizes the Director to make appropriate corrections consistent with Act 262 of 1995 and the effective administration of this program.

Citation: [6-82-1101-1105](#)

**RULES AND REGULATIONS
SECOND EFFORT SCHOLARSHIP PROGRAM**

RULE 1 -- ORGANIZATION AND STRUCTURE

- I. The Arkansas Department of Higher Education shall administer the Second Effort Scholarship Program within the policies set by the State Board of Higher Education. All formal communication shall be addressed to or signed by the Director of the Arkansas Department of Higher Education or his/her designee.
- II. The final responsibility for selecting recipients of the Second Effort Scholarship shall rest with the Director of the Arkansas Department of Higher Education, pursuant to the provisions of Act 705 of 1991 and Act 262 of 1995 and subsequent legislation, and program rules and regulations.
- III. When functioning under Act 705 of 1991 and Act 262 of 1995 and any subsequent legislation the Arkansas Department of Higher Education shall follow the provisions of the Administrative Procedures Act.

RULE 2 -- SCHOLARSHIP ELIGIBILITY CRITERIA

I. Eligibility Criteria

A student must meet all of the following criteria to be eligible for the Second Effort Scholarship:

- A. The recipient must be at least eighteen years of age or a former member of a high school class that has graduated.
- B. The recipient may not be a high school graduate.
- C. The recipient must be a citizen of the United States or a permanent resident alien.
- D. The recipient must have passed the Arkansas High School Diploma (GED) test in the calendar year prior to application for the Second Effort Scholarship.
- E. The recipient shall have been a resident of the State of Arkansas for at least the twelve months prior to successfully completing the Arkansas High School Diploma (GED) test.
- F. The recipient must be accepted for admission at an approved postsecondary school or college as a freshman, as defined by the Department of Higher Education, and must enroll in an approved institution within eighteen (18) months following passage of the Arkansas High School Diploma (GED) test.

- G. The recipient must have scored in the top twenty-five (25) of all Arkansans who took the Arkansas High School Diploma (GED) test in the calendar year prior to application for the scholarship.
- H. The Arkansas Department of Higher Education is authorized to award a scholarship to the individuals achieving the top ten scores of all Arkansans who took the Arkansas High School Diploma (GED) test in the previous calendar year. The Arkansas Department of Higher Education may award a scholarship to an otherwise eligible student who scored in the top twenty-five (25) of all Arkansans who took the Arkansas High School Diploma (GED) test in the previous calendar year if all test takers having a final score higher than the applicant have either:
1. Received a Second Effort Scholarship, or
 2. Not applied by the application deadline, or
 3. Are otherwise ineligible to receive a Second Effort Scholarship.

No more than ten Second Effort Scholarships shall be awarded each year. In no case shall anyone scoring below those Arkansans achieving the highest twenty-five scores on the previous calendar year's Arkansas High School Diploma (GED) test be offered a Second Effort Scholarship.

II. Continued Eligibility

The Second Effort Scholarship shall be awarded for one academic year and renewed annually for up to three additional years, or their equivalent for part-time students, provided the recipient maintains a 2.50 cumulative college grade point average on a 4.0 scale, and completes a minimum of six (6) semester hours (or the equivalent) per academic year. An academic year is defined as regular Fall, Winter, and Spring terms only. In no case shall a recipient use these funds for educational purposes beyond the baccalaureate degree.

RULE 3 -- APPLICATION PROCESS

I. List of Those Persons Achieving the Highest Scores

The Office of Adult Education, Arkansas Department of Education shall provide the Arkansas Department of Higher Education by February 1 of each year a certified list of those persons achieving the highest twenty-five (25) scores on the Arkansas High School Diploma (GED) test administered in the previous calendar year.

II. Submission of Applications

- A. Following receipt of the list of those persons achieving the highest scores on the Arkansas High School Diploma (GED) test, the Arkansas Department of Higher Education shall send an Award Notice, application, general information, and

appropriate instructions to each person achieving one of the ten highest scores as indicated by the list provided by the Office of Adult Education, Arkansas Department of Education. An application, general information and appropriate instructions shall be sent to each person achieving the scoring rank of 11-25 as indicated by the list provided by the Office of Adult Education, Arkansas Department of Higher Education.

- B. If any person achieving one of the highest ten scores declines the Second Effort Scholarship, does not meet the application deadline, does not meet the Second Effort Scholarship eligibility criteria, or is otherwise determined to be ineligible for the Second Effort Scholarship, an award notice shall be sent to the person achieving the next highest score who has returned an application to ADHE. In no case shall any person whose score is lower than those persons achieving the highest 25 scores be sent a Second Effort Scholarship application.

III. Application Deadline

The deadline for the Second Effort Scholarship applicants to return a completed application is April 1, or two weeks from the date on the award notice, whichever is later. Applications received after the deadline date are ineligible for the Second Effort Scholarship and applicants shall be notified. Applications sent in accordance with paragraph II B. above shall have an acceptance deadline date that shall allow the applicant sufficient time to complete and return the application to the Arkansas Department of Higher Education. In no case shall this be less than two weeks.

IV. Application Review and Notification

The Arkansas Department of Higher Education shall review applications for completeness and eligibility. Those applicants who are eligible and whose applications are complete shall be sent a notice informing them that they shall receive the Second Effort Scholarship. Those applicants who are ineligible or whose application is incomplete shall be sent an Ineligible Notice or an Incomplete Notice. Those applicants whose applications are incomplete shall have two weeks to return the completed application to the Arkansas Department of Higher Education. Applicants shall become ineligible and shall be sent a notice stating such if incomplete applications are not returned by the deadline date. Should this occur, the person achieving the next highest score shall be selected to receive the Second Effort Scholarship in accordance with paragraph II B. above.

V. Amount of Scholarship

The amount of the annual scholarship shall be the lesser of one thousand dollars (\$1,000) or the annual tuition charged by the institution in which the recipient is enrolled. For part-time students who are recipients, the amount of the scholarship shall be prorated on the basis of the number of credit hours enrolled each term such that the recipient receives the prorated equivalent of one thousand dollars (\$1,000) per year up to a maximum of two hundred fifty dollars (\$250) per three (3) credit hour course.

RULE 4 -- SCHOLARSHIP PAYMENT PROCESS

I. Award Amount

A Second Effort Scholarship shall be awarded to those individuals returning a complete application to the Arkansas Department of Higher Education by the specified deadline date and who are determined to be otherwise eligible. The value of the scholarship is the lesser of \$1,000 per academic year or the annual tuition charged by the approved institution in which the recipient is enrolled.

II. Payment of Scholarships

Warrants payable to the recipient shall be sent to the approved institution indicated on the recipient's application. The Scholarship payments shall correspond to the academic terms, semesters, quarters, or equivalent time periods at the institution. In no instance may the entire amount of the scholarship for an educational year be paid to or on behalf of such student in advance.

III. Transfer of Scholarships

A student who has received a Second Effort Scholarship may transfer his/her scholarship to another approved Arkansas institution of higher education provided:

- A. The student notifies the Arkansas Department of Higher Education of the change of status by October 1 for the fall term, February 1 for the winter/spring term, and May 1 for the spring term for three term institutions.
- B. The student submits a transcript to the Arkansas Department of Higher Education certifying that the student has maintained a 2.5 cumulative college grade point average and has completed the required number of hours at the institution the student is leaving.

IV. Withdrawal Policy

A recipient shall be continuously enrolled unless the Arkansas Department of Higher Education has approved a leave of absence/scholarship hold. The department shall allow a student to withdraw from the Second Effort Program for no more than twenty-four (24) months due to:

11. A medical condition of the recipient or a member of the recipient's immediate family that, on the basis of a physician's good-faith judgment, necessitates the student or the student's immediate family member to be hospitalized or receive outpatient or home-based medical care or recuperation until released by the attending physician;
12. A personal or family emergency that requires the student to:
 - a. Attend the funeral of an immediate family member; or
 - b. Visit a relative of the student if the relative has a medical condition in which death is possible or imminent;
13. Military service under § 6-61-112;

14. A commitment for twelve (12) to twenty-four (24) months of:
 - a. Service in a national or international humanitarian project sponsored by a nonprofit corporation organized with a charitable or educational purpose;
 - b. The student's commitment shall be expressed in a written agreement with the nonprofit organization including the terms of completion for the student's service on the related project;
 - c. The department shall release a scholarship hold if the department determines that the student did not complete the commitment under the written agreement; or
15. Any other reason approved by the Arkansas Department of Higher Education

The recipient must submit a written petition for withdrawal. The petition shall give the reason for withdrawal and be supported by documentation. In the absence of extraordinary circumstances, the award will be revoked if the recipient fails to enroll full-time in an eligible institution in Arkansas, and the Arkansas Department of Higher Education receives neither notification of transfer of the scholarship to another eligible institution, nor a petition for withdrawal by the recipient by October 1 for the fall term and February 1 for the winter and/or spring terms. At the discretion of the Department of Higher Education, the award will not be revoked if it is determined by ADHE that extraordinary circumstances prevented the student from notifying ADHE by the required dates.

V. Renewal Policy

The Second Effort Scholarship may be renewed for a total of three academic years, or their equivalent for part-time enrollment, provided the student maintains a 2.50 cumulative college grade point average on a 4.0 scale and successfully completes six (6) semester hours or its equivalent per academic year. The scholarship shall be automatically renewed, provided the recipient meets the above minimum standards; recipients need not reapply each year.

VI. Cancellation of the Second Effort Scholarship

The Second Effort Scholarship shall be terminated for any of the following reasons:

- A. The recipient fails to maintain a minimum 2.50 cumulative college grade point average on a 4.0 scale, and fails to successfully complete a minimum of six credit hours or its equivalent per academic year.
- B. The recipient completes a first baccalaureate degree.

VII. Military Service

Recipients who are members of the Arkansas National Guard or Armed Forces Reserve units who are called to active duty for reasons other than regular unit training and are unable to complete the current term shall be allowed to repeat the missed term without loss of scholarship credit. In addition, they shall be placed in deferred status until six months after release from active duty, at which time they must be re-enrolled in an approved institution.

VIII. Repayment

If the recipient of a Second Effort Scholarship withdraws from the institution on or after the first day of class of an academic term and under the refund policy of that institution the student is entitled to a refund of any tuition, fees, or other charges, the institution shall pay that refund to the Arkansas Department of Higher Education. At the discretion of the Arkansas Department of Higher Education, the refund obligation may be canceled by the Arkansas Department of Higher Education if it is determined that extraordinary circumstances exist that prevent such a refund from being made.

RULE 5 -- INSTITUTIONAL RESPONSIBILITIES

I. Administrative Agreement

An Administrative Agreement, outlining all of the requirements of the institutions participating in the various state aid programs, shall be obtained from each institution and kept on file at the Arkansas Department of Higher Education. This document shall be updated as necessary. The chief executive officer of the eligible institution is responsible for appointing one representative from the financial aid office to act as administrator of the Second Effort Scholarship Program and to receive all communications, forms, rosters, etc. This representative is responsible for verification data and compliance with all program rules and regulations. The institution must comply with the following responsibilities in order to maintain continued eligibility status.

II. Disbursement Records

In addition to maintaining records, it is the responsibility of the institutions to insure that the Second Effort Scholarship recipient's signature acknowledging receipt of funds is maintained at the institution. The institution shall maintain information on the student indicating disbursement of these funds.

III. Institutional Information Sheet

The institution is required to complete annually the Institutional Information Sheet for all financial aid programs administered by the Arkansas Department of Higher Education for which the institution has chosen to participate. The institutional representative must provide a copy of the refund policy to the Arkansas Department of Higher Education which governs all students who completely withdraw from the institution. The administrator is responsible for designating a certifying official who is responsible for certifying enrollment and a disbursing official who is responsible for the disbursement of Second Effort Scholarship warrants. This information sheet

is due annually on July 1. Any changes in tuition and other institutional information after submission of the sheet shall be reported to the Arkansas Department of Higher Education within ten (10) days of institutional or Board of Trustees action.

IV. Institutional Verification

The institution shall provide certification to the Arkansas Department of Higher Education each academic term after registration, giving the names of the Second Effort Scholarship recipients who are officially enrolled. This information is reported on a verification roster. The person responsible for verification of enrollment is the registrar or a member of the registrar's staff. The certifying official is responsible for completing the verification roster twice a year for those schools on the semester system, and three times a year for those schools on the quarter system. The Arkansas Department of Higher Education shall mail the verification roster to the financial aid administrator at the institutions prior to registration for the semester or quarter. The signed verification roster shall be returned to the Arkansas Department of Higher Education by November 1 for the fall term, March 15 for the winter/spring term and May 1 for the spring term for three term institutions. The verification roster is an alphabetical listing by institution of all persons receiving

Second Effort Scholarship funds for a given academic term. Students who are not enrolled in the current term shall not receive scholarship benefits in that term.

V. Continuing Eligibility Roster

It is the responsibility of each institution to complete annually the continuing eligibility roster. This roster shall be mailed to all institutions that have a Second Effort Scholarship recipient enrolled. The Arkansas Department of Higher Education shall mail the continuing eligibility roster to the institutions by June 1. The roster is due back to the Arkansas Department of Higher Education by June 15. The person responsible for completing the continuing eligibility roster is the financial aid administrator. The continuing eligibility roster is an alphabetical listing by institution of all persons receiving a Second Effort Scholarship who attended that institution for the academic year immediately preceding receipt of the continuing eligibility roster. Completion of the roster requires the certifying official to give the number of credit hours completed for the previous academic year, and the cumulative grade point average achieved for each student listed.

VI. Deadline for Warrant Disbursement

All warrants must be disbursed by the institution by October 15 for the fall term, March 1 for the winter/spring term, and May 1 for the spring term for three term institutions. Any outstanding warrants not disbursed by the above dates shall be returned to the Arkansas Department of Higher Education for cancellation.

VII. Due Diligence

The institution shall exercise due diligence in providing complete, accurate, and timely information as requested by the Arkansas Department of Higher Education on any Second Effort Scholarship recipient or former recipient. In addition, the institution shall exercise due diligence in complying with all the rules and regulations of the Second Effort Scholarship Program. The Arkansas Department of Higher Education shall periodically review the institution's records concerning the Second Effort Scholarship Program in an effort to exercise its due diligence requirements as a steward of State of Arkansas funds.

RULE 6 - SECOND EFFORT SCHOLARSHIP RECIPIENT RESPONSIBILITIES

I. Second Effort Scholarship Recipient Responsibilities

It is the responsibility of the Second Effort Scholarship recipient to notify the Arkansas Department of Higher Education, in writing, within twenty-one days, of any change in status. this will include:

- A. Change in name.
- B. Change in address.
- C. Change in institution.
- D. Change in enrollment status (three credit hours or the equivalent) per semester.

Failure to notify the Arkansas Department of Higher Education of any change in status may jeopardize future eligibility.

RULE 7 - PROGRAM DEFINITION

The following definitions are used in the Second Effort Scholarship program:

Approved Institution	A public or private school or college or any public postsecondary vocational-technical school located in Arkansas which awards postsecondary certificates, degrees, or diplomas. Further, such institution shall not discriminate against applicants, students or employees on the basis on race, color, religion, sex, age, handicap, or national origin, consistent with the provisions of applicable state and federal law. The institution must have signed an Administrative Agreement with ADHE.
Citizen	The recipient must be a United States citizen or a permanent resident alien. If the recipient is not a United States citizen, but a permanent resident alien, the recipient must attach a

copy of the permanent resident alien form I-151, I-551, I-94, or G-641 to the application.

- Eligible Student Any student who meets the eligibility criteria in Rule 2.
- Student A student enrolled for at least three (3) semester hours, or the equivalent per semester, in a program of study which leads to a postsecondary certificate, degree or diploma.
- Tuition Charges levied for attendance at an eligible institution; for purposes of this program tuition charges shall not include any fees charged or used for student activities, including any student athletic fees.

Approved: Agenda Item No. 5
January 24, 1992

Amended: Agenda Item No. 23
February 2, 1996

RULES
TEACHER OPPORTUNITY PROGRAM

This agenda item presents proposed rules and regulations of the Teacher Opportunity Program that are necessary to comply with Act 1214 of 2009. The Teacher Opportunity Program (TOP) is designed to incentivize teachers to return to college to pursue additional training in critical subject matter areas in which the state of Arkansas faces shortages.

This program was originally created in 2005 and was a program that awarded funds first to employed teachers seeking completion of a dual teacher's license in an additional subject area that was designated as having a critical shortage of teachers. If further funds were available, other employed teachers can seek reimbursements for cost associated with six (6) semester credit hours to gain additional instruction related to their job assignment. In order to participate in the TOP-Dual Licensure Incentive Program, the local school district nominated the employed teacher for this forgivable dual licensure loan and agreed to match ADHE funds in a 2 to 1 ratio. ADHE will match two dollars for each one dollar from the school district. In turn, the teacher agrees to complete the additional licensure within three (3) years of first receiving funds under the program and teaches or serves as a classroom teacher in an Arkansas public school district for three (3) continuous years immediately following receipt of the additional certification.

Due to lack of participation in the TOP-Dual Licensure Incentive Program, the TOP program was restructured to provide reimbursements first to employed teachers seeking completion of a dual teacher's license in an additional subject area that was designated as having a critical shortage of teachers. If further funds were available, other employed teachers and administrators can seek reimbursements for funds used to gain additional instruction related to their job assignment. Act 1214 of 2009 removed the school district's required nomination and monetary match for participation in the TOP-Dual Licensure Incentive Program so that more teachers could access the program if he or she is seeking completion of a dual teacher's license in an additional subject area that was designated as having a critical shortage of teachers. This action will ensure that rules and regulations comply with Act 1215 of 2009.

In compliance with the Administrative Procedures Act of 1979, a public hearing was announced in a newspaper of general circulation to discuss the rules and regulations that will govern the Teacher Opportunity Program. The hearing will be held on January 29, 2010, in conjunction with a meeting of the Arkansas Higher Education Coordinating Board.

The following resolution is offered for the Board's consideration:

RESOLVED, That the Arkansas Higher Education Coordinating Board adopts the rules and regulations presented in this agenda item for the Teacher Opportunity Program, to be administered by the Arkansas Department of Higher Education.

FURTHER RESOLVED, That by the adoption of the rules and regulations presented in this agenda item, the Director of the Arkansas Department of Higher Education or his

designee is authorized to promulgate these rules and regulations and to implement them for the 2009-2010 academic year.

FURTHER RESOLVED, That the Director of the Arkansas Department of Higher Education or his designee is authorized to make technical changes and corrections when necessary in the program rules for the Teacher Opportunity Program.

Citation: [6-81-605-610](#)

TEACHER OPPORTUNITY PROGRAM RULES AND REGULATIONS

RULE 1 - ORGANIZATION AND STRUCTURE

- I. The Arkansas Department of Higher Education (ADHE) shall administer the Teacher Opportunity Program with the policies set by the Arkansas Higher Education Coordinating Board (AHECB). All formal communications shall be addressed to or signed by the Director of the Arkansas Department of Higher Education or the Director's designee. The Teacher Opportunity Program Advisory Council shall provide advice to the Department of Higher Education regarding administration of the program.
- II. Teacher Opportunity Program Advisory Council
 - A. The Teacher Opportunity Program Advisory Council shall consist of eight members. The members will be appointed annually to serve a two-year staggered term by the Director of the Department of Higher Education. The members of this council will consist of representatives from public and private postsecondary institutions with Teacher Education programs, public and private elementary and secondary schools, and the teacher certification division of the Department of Education.
 - B. The Director of the Department of Higher Education or the Director's designee shall serve as the presiding officer of the Teacher Opportunity Program Advisory Council and shall ensure that staff services for the Council are provided.
- III. The final responsibility for selecting loan recipients shall rest with the Department of Higher Education.
- IV. When functioning under Act 109 of 1983, Act 331 of 1987, and any subsequent legislation, the Arkansas Department of Higher Education shall follow the Provisions of the Administrative Procedures Act.

RULE 2 - ELIGIBILITY CRITERIA

- I. Applicant must be bona fide residents of the State of Arkansas, as defined by the Arkansas Department of Higher Education, as having lived in Arkansas continually for at least twelve (12) months prior the application deadline.
- II. Applicant shall maintain a current teacher license with the Arkansas Department of Education. Only individuals with a provisional license or who are in the alternative licensure program are not considered certified for the purposes of the Dual Certification Incentive Program.
- III. Recipient awarded under the Dual Licensure Incentive Program must:

- A. Be currently employed as a classroom teacher, which includes librarian/media specialist, guidance counselor and administrator, in a public school in Arkansas; and
- B. Have been employed as a classroom teacher for at least three (3) years immediately preceding application; and
- C. Be accepted for enrollment in a teacher education program that will lead to licensure in a subject area that is different than the teacher's current licensure area and the subject area has either:
 - 1. Been declared by the Arkansas Department of Education as a subject area with a shortage of teachers; or
 - 2. Is in the grade level and subject area for which the school district has requested a waiver under 6-17-309.
- C. Earn a 2.5 cumulative grade point average in courses required toward dual licensure.

IV. Non-Dual Licensure Program requires that:

- A. Applicant must be currently employed as a classroom teacher, which includes librarian/media specialist, guidance counselor and administrator, in Arkansas and declare an intention to continue such employment in Arkansas.
- B. Applicant must be enrolled in an approved institution in Arkansas.
- C. Applicant must be enrolled in college level courses, excluding correspondence courses, directly related to their employment as certified by the Director of the Department of Education, General Education Division.
- D. Recipient must maintain at least a 2.50 grade point average in the courses funded by the Teacher Opportunity Program. Recipients funded for one course must obtain at least a "B" for that course. Recipients funded for two courses must obtain at least a "B" for one course and a "C" for the other.

RULE 3 - APPLICATION PROCESS

I. Solicitation of Applicants

Applications will be available at the Arkansas Department of Higher Education's website. Applications will also be mailed to individuals upon request.

II. Submission of Application

III. Application Deadline

The application deadline will be set each year by the Department of Higher Education. All applications must be submitted by the established deadline date. Applications received after the deadline date will not be considered for participation in the Teacher Opportunity Program. The Department may establish alternate deadlines for applicants based on the start date of each term.

The applicant must obtain verification from the president of the local board of directors of the school district where the applicant is employed, that:

- A. The applicant meets the employment and certification requirements of the statute and these rules and regulations are for the award of a loan; and
- B. The school district has nominated the applicant for the loan; and
- C. The school district will meet the matching requirements for funds for this loan.

V. Verification by Teacher Certification Official

The applicant must obtain verification from the teacher certifying official at the applicant's college or university verifying:

- A. That the applicant has been admitted to the teacher education program for certification in the subject area specified on the application; and
- B. The number of semester hours remaining to complete certification in the specified subject area; and
- C. That the applicant will be able to complete certification in that subject area within three (3) years of initial entry into the Dual Certification Incentive Program.

RULE 4 – AWARD PROCESS

I. Selection of ~~Loan~~ Recipients

- A. The final responsibility for selecting recipients shall rest with the Director of the Arkansas Department of Higher Education.
- B. Applications for the Dual Licensure Incentive Program will receive first priority for awards. If funds remain after awarding all eligible applicants under the Dual Licensure Incentive Program, Non-Dual Licensure Program applicants will be ranked according to criteria developed in conjunction with the Department of Education, focusing on state-wide needs.

II. Notification of Loan Recipients

- A. Selected recipients will receive an award notices stating their eligibility for the program. The award notice will include, where applicable, the student's name, social security number, and award amount.

RULE 5 – REIMBURSEMENT AMOUNT

- I. Reimbursement for students in the Dual Licensure Incentive Program include funding for the cost of student fees, books, and instructional supplies at a public institution of higher education in this State assessing the highest rate of student fees. The reimbursement made to one individual within one fiscal year may not exceed the aforementioned costs associated with six semester hours or the equivalent of six semester credit hours, though not to exceed \$3,000 during the fiscal year.
- II. Non-Dual Licensure Program recipients may receive funds up to, but not in excess of, the cost of student fees, books, and instructional supplies at a public institution of higher education in this State assessing the highest rate of student fees. The reimbursement made to one individual within one fiscal year may not exceed the aforementioned costs associated with six semester hours or the equivalent of six semester credit hours.
- III. Based on the availability of program funds, awards will be disbursed to the recipient pursuant to the reimbursement limitations above and ranking status. Recipients must maintain an eligible status to receive funds.

RULE 6 – REIMBURSEMENT DISBURSEMENT

The Teacher Opportunity Program is a reimbursement program. A check made payable to the individual recipient is mailed to the student once he/she has successfully completed the funded course with a satisfactory grade and has provided the Arkansas Department of Higher Education with an original copy of the itemized paid receipt and grade report or transcript for the funded course.

RULE 7- RECIPIENT RESPONSIBILITIES

It is the recipient's responsibility to notify the Arkansas Department of Higher Education, in writing, of any change in status within 21 days. This will include, but is not limited to:

Change of name;

Change in address;

Change in institution;

Change in coursework to be funded;

Change in enrollment status;

Change in employment; or

Change in licensure status.

Failure to notify the Arkansas Department of Higher Education of a change in status may affect future eligibility or collection status.

It is the responsibility of each institution to annually complete the Continuing Eligibility roster. This roster shall be mailed to all institutions that have TOP recipient(s) enrolled. The Continuing Eligibility roster shall be returned to the Arkansas Department of Higher Education by the date specified on the roster. The Financial Aid Administrator or designated official is responsible for completing the Continuing Eligibility roster. The Continuing Eligibility roster is an alphabetical listing by institution of all Teacher Opportunity Program award recipients attending that institution for the academic year immediately preceding receipt of the Continuing Eligibility roster. The certifying official must complete the roster by providing the number of hours completed for the previous academic year and the cumulative grade point average achieved for each student listed.

The institution will exercise due diligence in providing complete, accurate, and timely information as requested by the Arkansas Department of Higher Education on any loan recipient. In addition, the institution will exercise due diligence in complying with all the rules and regulations of the Teacher Opportunity Loan Program. The Arkansas Department of Higher Education shall periodically review the institution's records concerning the Teacher Opportunity Program in an effort to exercise its due diligence requirements as a steward of State of Arkansas funds.

II. School District Responsibilities

The president of each local school board that nominates a teacher to participate in the Dual Certification Incentive Program is responsible for appointing one representative from the school district office to receive all communications, forms, etc. relating to the Dual Certification Incentive Program. The district will disburse funds each term for each of its teachers participating in the Dual Certification Incentive Program within 10 working days of receipt of notification by ADHE of the amount due and the institution.

RULE 8 PROGRAM DEFINITIONS

The following definitions are used in the Teacher Opportunity Program (TOP):

Academic Year	A measure of the academic work to be accomplished by the recipient. The academic year is defined as fall, spring, and summer semesters, in that order.
Arkansas Resident	to be considered an Arkansas resident by ADHE, an applicant must be an Arkansas resident for twelve (12) months prior to the application deadline for the financial aid program. Further, the recipient may be asked to provide evidence of a permanent connection with the State of Arkansas. ADHE will look to one or more of the following to determine residency in those cases: (A) Valid Arkansas Driver's License; (B) Proof of payment for Arkansas personal and/or real taxes for previous year; (C) Proof of Arkansas vehicle registration; (D) Proof of Arkansas voter registration; and (E) Other forms of proof of Arkansas residency.
Approved Institution	An Arkansas postsecondary public or private college, university, or school that is currently accredited by a nationally recognized accrediting agency or association that has a teacher licensure program where those courses are directly creditable toward teacher licensure in a baccalaureate institution. The institution must not discriminate against applicants, or employees on the basis of race, color, religion, sex, age, handicap, or national origin, consistent with the provisions of applicable state and federal laws.
Award Year	The award year begins on July 1 of one calendar year, and extends to June 30 of the next calendar year.
Classroom Teacher	An individual who is required to hold a teaching license from the Arkansas Department of Education and who is: a. Engaged directly in instruction with students in a classroom setting for more than seventy percent (70%) of the individual's contracted time; b. A media specialist or librarian; c. A guidance counselor; d. An administrator.

Dual License

Licensure to teach in more than one (1) subject area.

Teach on a Full-time Basis

Teach the same number of hours required of teachers who have full-time contracts, as determined by the institution or agency in which an individual is teaching, for a minimum of one (1) academic term, as defined by the institution or agency in which an individual is teaching.

**MINORITY TEACHER SCHOLARS PROGRAM
RULES AND REGULATIONS
(REVISED)**

As a means of easing administrative burdens and reducing paperwork at Arkansas colleges and universities, revisions to the rules and regulations of the following programs are proposed: Arkansas Student Assistance Grant, Missing in Action/Killed in Action Scholarship, Minority Teachers' Scholarship, Emergency Secondary Education Loan Program and Minority Master's Fellows Program. The proposal would eliminate the need for an annual administrative agreement and set the institutional responsibilities in the rules and regulations.

A proposed clause is added to the rules and regulations of those programs that do not have a provision to comply with Section 14 of Act 1180 of 1999, the state law that prohibits the use of public funds in any student's financial aid package where the total financial aid package exceeds the recognized cost of attendance. This clause would direct the institution to follow the ADHE policy regarding the stacking of scholarships.

General technical changes are proposed to simplify administrative procedures of the programs. In compliance with the Administrative Procedures Act of 1979, a public hearing was announced in a newspaper of general circulation to discuss the rules and regulations which will govern these student financial aid programs. The hearing was held on July 22, 1999, in conjunction with a meeting of the Arkansas Higher Education Coordinating Board.

The following resolution was approved by the Coordinating Board on July 23, 1999 (Agenda Item No. 34):

RESOLVED, That the Arkansas Higher Education Coordinating Board adopts the rules and regulations presented in this agenda item for the Arkansas Student Assistance Grant, Missing in Action/Killed in Action Scholarship, Minority Teachers' Scholarship, Emergency Secondary Education Loan Program and Minority Masters' Fellows Program administered by the Arkansas Department of Higher Education.

FURTHER RESOLVED, That, by the adoption of these rules and regulations presented in this agenda item, the Director of the Arkansas Department of Higher Education or his designee is authorized to promulgate these rules and regulations and to implement them for the 1999-2000 academic year.

FURTHER RESOLVED, That the Director of the Arkansas Department of Higher Education or his designee is authorized to make technical changes and corrections when necessary in the program rules for the Arkansas Student Assistance Grant, Missing in Action/Killed in Action Scholarship, Minority Teachers' Scholarship, Emergency Secondary Education Loan Program and Minority Masters Fellows Program

Citation: [6-81-131](#)

**MINORITY TEACHER SCHOLARS PROGRAM RULES AND REGULATIONS
(REVISED)**

RULE 1 - ORGANIZATION AND STRUCTURE

- I. The Arkansas Department of Higher Education (ADHE) shall administer the Minority Teacher Scholars Program within the policies set by the State Board of Higher Education. The purpose of the Minority Teacher Scholars Program is to provide scholarships to assist and encourage African-American, Hispanic, ~~and~~ Asian-American and Native American Arkansans to enter and complete programs leading to certification as public school teachers. The program will provide scholarships to students who have completed sixty semester credit hours and have been admitted to a teacher certification program. The program is needed to increase the number of African-American students pursuing certification as public school teachers. Special efforts will be made to recruit black males into this program, especially in the areas of elementary education and guidance counseling.

All formal communications shall be addressed to or signed by the Director of the Arkansas Department of Higher Education or his/her designee.

- II. The final responsibility for selecting scholarship recipients shall rest with the Director of the Arkansas Department of Higher Education.

RULE 2 - SCHOLARSHIP ELIGIBILITY CRITERIA

I. Eligibility Criteria

- A. Applicants must be African-American, Hispanic, ~~or~~ Asian-American, or Native American.
1. For guidance purposes, the terms African-American, Hispanic, Asian-American, and Native American are based on the Race/Ethnic classifications utilized by the Integrated Postsecondary Education Data System (IPEDS) as follows:
- a. African-American = Black/Non-Hispanic: a person having origins in any other black racial groups of Africa.
- b. Hispanic: a person of Mexican, Puerto Rican, Cuban, Central or South American or other Spanish culture or origin, regardless of race.
- c. **Asian-American = Asian or Pacific Islander: a person having origins in any of the original peoples of the Far East, Southeast Asia, the Indian subcontinent, or the Pacific Islands. This area includes those from China, Japan, Korea, the Philippine Islands, Samoa, India and Vietnam.**

d. Native American = American Indian or Alaska Native: a person having origins in any of the original peoples of North America and who maintain cultural identification through tribal affiliation or community recognition.

B. Applicants must be bona fide Arkansas residents, as defined by the Arkansas Department of Higher Education, for at least six months prior to the application deadline.

C. Applicants must be citizens of the United States or permanent resident aliens.

D. Applicants must be enrolled full-time in a public or independent 4-year institution located in Arkansas. Full-time is defined as a minimum of twelve college semester hours, or the equivalent, excluding correspondence courses.

E. New applicants must have completed sixty semester credit hours and have been admitted to a teacher certification program. Applicants for a continuing award must meet continuing eligibility requirements.

F. Applicants must be admitted to an approved program resulting in teacher certification.

G. Applicants must have a minimum 2.50 cumulative grade point average on a 4.0 scale (or its equivalent).

II. Continued Eligibility Requirements

The Arkansas Department of Higher Education will renew awards for a second academic year to recipients who continue to meet the criteria set forth in Rule 2, paragraphs I.A-G; and who complete at least 24 semester-credit hours (or the equivalent) applicable toward teacher certification during the first academic year of the loan.

RULE 3 - SELECTION PROCESS

I. Students must submit an application to the Arkansas Department of Higher Education. Applications will be mailed to Education Departments, financial aid directors, Deans of Colleges of Education, and Teacher Certification Officials at all public and independent 2-year and 4-year institutions in the State of Arkansas. Applications may also be obtained from ADHE upon request.

II. Deadline for Applications

The application deadline will be established by the Arkansas Department of Higher Education and published in its brochure and announced to each participating institution when applications are distributed.

III. Review of Applications

For applications that are either incomplete or ineligible, a notice will be sent to the applicant identifying the reason for incompleteness or ineligibility. The applicant will then have the opportunity to provide the missing information or correct any inaccurate information.

IV. Ranking of Applicants

Applications are ranked according to a combination of components including cumulative grade point average and major grade point average.

V. Selection and Notification of Recipients

A. The ADHE shall review ranked applicants and make recommendations for scholarship recipients based on allocation of funds. The number of initial awards shall not exceed 50.

B. The final responsibility for selecting scholarship recipients shall rest with the Director of the Arkansas Department of Higher Education.

VI. Institutional Eligibility

The institution to be attended under the scholarship program must be a public or independent four-year institution located in Arkansas, meet federal institutional eligibility requirements, and be approved by the Arkansas Department of Higher Education for the teacher certification program chosen by the student.

RULE 4 - AWARDING OF SCHOLARSHIP

I. Award Process

Selected scholarship recipients will be mailed award notices stating their eligibility for the program and the conditions for continued eligibility. Prior to the disbursement of funds, recipients will receive promissory notes for the purpose of entering into an agreement with ADHE. The terms of the agreement will include the general purpose, repayment and deferment procedures, interest calculations, and a schedule of advances. The promissory note shall be signed by the scholarship recipient and by a co-maker of eligible age. Modifications to any award amounts will be confirmed through the issuance of a new promissory note.

II. Disbursement of Scholarship

The scholarship will be divided equally according to the number of terms at each institution: three payments for those institutions on trimesters and two payments for those institutions on semesters. Funds will be sent to the institution via electronic funds transfer. After verification of full-time enrollment for the scholarship recipient, the institution disburses the funds in accordance with its policy.

Act 1180 of 1999 states that students who receive scholarships from public funds may not use those funds in a financial aid package to exceed the federally recognized cost of attendance at the institution where the student enrolls. The institutions must follow ADHE policy in repaying public funds in the amount exceeding the total cost of attendance for any student who receives public funds in a financial aid package above the cost of attendance.

III. Limitation of Scholarships

- A. Students may receive up to \$5,000 per academic year.
- B. Students may receive scholarships for a maximum of four (4) semesters or six (6) trimesters or until such time as they have completed certification requirements, as determined by the teacher certification official, to teach in Arkansas, whichever comes first.
- C. Recipients must indicate an intention to teach in the public schools of Arkansas and be enrolled as full-time students pursuing initial certification unless the course of study is guidance counseling. (See Rule 5, III. A. 6.)

RULE 5 - REPAYMENT OF SCHOLARSHIP

I. Terms of Repayment

- A. Scholarship recipients who teach full-time in an Arkansas public school following certification shall have 20 percent of the total scholarship and related interest forgiven for each full academic year employed in such capacity, up to a maximum of five (5) years, when the total scholarship and accumulated interest will be forgiven.
- B. Recipients shall have their teaching commitment reduced to three (3) years if they teach full-time in an Arkansas public school following certification in one of the following critical areas:
 - 1. Elementary (African-American males only)
 - 2. Secondary Math
 - 3. Secondary Science
 - 4. Foreign Language
 - 5. Guidance Counseling
 - 6. Any subject or level in the Delta Region

ADHE will verify the recipient's employment once a year in June by contacting the superintendent's office in the recipient's employment district.

- C. Recipients who do not teach full-time in an Arkansas public school following certification, or who discontinue their studies prior to completing their program of study shall, within a maximum of five (5) years from the completion of study or withdrawal from school, repay the full remaining balance, plus accrued interest according to an interest and repayment schedule provided by ADHE. At this point, the recipient's scholarship converts to a loan.

The repayment schedule will be set in monthly payments based on the total amount of the loan remaining at the time of entry into repayment, plus interest. Payments will be computed to ensure that repayment will be completed within a maximum of five years from the completion of study or withdrawal from school.

II. Interest on Loan

- A. Interest will accrue from the beginning of the repayment period at a maximum annual percentage rate of 10 percent on the unpaid balance. Interest will be calculated as a simple, per annum interest charge on the outstanding principal.
- B. Interest will not accrue and installments need not be paid when a deferment has been approved by the Arkansas Department of Higher Education. Any recipient who wishes a deferment must submit an application for deferment to ADHE for approval.

III. Deferment of Loan

- A. At ADHE's discretion, scheduled loan repayments may be deferred if the Department determines that extraordinary circumstances prevent the recipient from making such repayments. Deferments may be granted for the following conditions:
 1. The recipient is engaged in a full-time course of undergraduate or graduate study at an institution of higher education. This must be verified by the registrar.
 2. The recipient is seeking and unable to find employment as a teacher in an approved shortage field or area for a single period not to exceed twelve (12) months. The loan recipient must submit a list of schools contacted for employment. ADHE will verify this information with the superintendent's office in each of those school districts.
 3. The recipient is temporarily totally disabled, for a period not to exceed three years, as established by sworn affidavit from a licensed physician. ADHE reserves the right to require a second opinion by an ADHE approved physician.
 4. The recipient is unable to secure employment for a period not to exceed twelve (12) months by reason of the care of a spouse who is disabled, as established by the signature of a licensed physician. ADHE reserves the right to require a second opinion by an ADHE approved physician.

5. Other extraordinary circumstances which would prevent the recipient from repaying the debt within the contractual obligations of the note may be considered.

6. Inasmuch as guidance counselors are required to teach one full year before they can be certified as a counselor, the recipient may qualify for up to two years of deferment if the student majors in a behavioral social science field and states an intent to pursue guidance counseling as a career.

B. To qualify for any of the deferments, recipients must notify ADHE of their claim to the deferment on a Request for Deferment form which will be supplied by ADHE upon request. The recipient must complete the Request for Deferment form and return it, along with supporting documentation, to ADHE. ADHE will notify the recipient within ten (10) working days of approval or disapproval of any application for a deferment.

IV. Cancellation of Scholarship

ADHE will cancel a recipient's repayment obligations if it determines:

A. On the basis of a sworn affidavit of a licensed physician, that the recipient is unable to teach on a full-time basis because of an impairment that is expected to continue indefinitely or result in death. ADHE reserves the right to require a second opinion by an ADHE approved physician; or

B. On the basis of a death certificate or other evidence of death, that is conclusive under state law, that the recipient has died.

V. Prepayment of Loan

There shall be no penalty for prepayment or repayment of all or any portion of the principal.

VI. Grace Period

There will exist a nine-month grace period following graduation before the recipient must either take employment in a public school in Arkansas in an approved subject, level, or geographic area specified for this program or begin repayment of the scholarship.

VII. Failure to Repay

Scholarship recipients who fail to meet their repayment obligations may have added to their total obligation any costs for collection of the debt.

RULE 6 - INSTITUTIONAL RESPONSIBILITIES

I. College/University Responsibilities

A. Proposal to Participate

An institution with more than one Minority Teacher Scholar enrolled in the institution's teacher education program may submit a proposal to the Department of Higher Education for up to \$5,000 which describes support services it will make available to facilitate the academic success of scholarship recipients.

The proposal should describe services and activities designed to mentor and otherwise assist scholarship recipients to become successful and effective teachers. The institution must designate a member of the teacher education faculty to manage the program. A faculty mentor, who may be the same person, must also be assigned to the scholarship recipients; this individual must agree to dedicate a portion of his or her time to work directly with these students.

The institutional plan should also propose other services and activities which in its judgment will further the academic success of scholarship recipients. These may include special seminars or conferences, informal opportunities for the recipients to work with each other, with practicing teachers, or with teacher education students at other institutions.

Proposed institutional plans may be up to five pages in length, should specify the responsible faculty member and faculty mentor, explain how ADHE funds will be used and describe the source and use of institutional matching funds, which may be cash or in-kind. Plans should be submitted to ADHE by October 15 of each year.

ADHE will fund the proposal, if approved, by November 1 of each year.

B. Institutional Verification

The institution shall provide certification to ADHE each semester after registration, giving the names of the program scholarship recipients who are officially enrolled as full-time students. This information is reported on a verification roster. The certifying official is responsible for completing the verification roster two times a year for those schools on the semester system and three times a year for those schools on the trimester system. The verification roster will be mailed to the financial aid director at the time of registration for each term. The signed verification roster should be returned to ADHE by November 1 for the fall term, March 15 for the winter and/or spring term, and May 1 of the spring term for institutions on the trimester system. The verification roster is an alphabetical listing by institution of all persons receiving a Minority Teacher Scholars scholarship for a given academic semester or trimester. Students who are not enrolled full-time in the current term shall not receive scholarship benefits in that term.

C. Deadlines for Disbursement of Funds

The deadline for disbursement of funds is no later than 10 days after written receipt of funds. Any outstanding funds not disbursed must be returned to the Arkansas Department of Higher Education.

D. Refund Policy

It is the institution's responsibility to notify ADHE of the names of any persons owing a refund, the date of the withdrawal, and the refund amount. This information should be placed on the institution's verification roster before returning it to ADHE.

E. Due Diligence

The institution will exercise due diligence in providing complete, accurate, and timely information requested by ADHE on any current or former loan recipient. In addition, the institution will exercise due diligence in complying with all the rules and regulations of Minority Teacher Scholars Program. The Arkansas Department of Higher Education will periodically review the institution's records concerning this program in an effort to exercise its due diligence requirements as a steward of state funds.

- F. UALR, UAPB, UCA, and HSU are presently participating in Teachers of Tomorrow Academy, a program funded by a Promotional Grant for minority students in high school who are interested in teaching careers. Those universities are invited to participate in a pilot program designed to build upon the precollegiate activities already in place for students in the Teachers of Tomorrow program who will be enrolled as freshmen or sophomores on those campuses.

The four institutions may submit a joint proposal which describes activities designed to build on the students' interest in teaching as a career and to help prepare them for successful entry into a teacher education program. The proposal should provide for education-related work experience for which participating students would receive a stipend. The proposal should specify that in order to be eligible to participate, a student must be enrolled as a freshman or sophomore in one of the four institutions and must have participated in the Teachers of Tomorrow program.

The proposed plan should explain how the program will be administered and how ADHE funds will be used. The plan should be submitted to ADHE by October 15. Funding for the initial year will be \$20,000.

RULE 7 - SCHOLARSHIP RECIPIENT'S RESPONSIBILITY

I. Recipient's Responsibility

It is the recipient's responsibility to notify the Arkansas Department of Higher Education of any change in status within 21 days. This will include:

Change in name

Change in residence

Change in institution

Change in full-time status (below twelve college semester credit hours or its equivalent per semester or trimester)

Change in course of study and/or

Change in employment.

Failure to notify the Arkansas Department of Higher Education of a change in status will affect future eligibility or collection status.

RULE 8 - COLLECTION OF LOAN

I. Collection of Loan

Accounts will be retained by ADHE in the Financial Aid Division until the individual is no longer eligible for forgiveness or deferment due to the recipient's failure to remain employed in the teaching field for the specified time period. At that time, the scholarship will be converted to a loan and the account will be turned over to a vendor for servicing. ADHE will notify the student by mail of this action and include a loan amortization schedule with the notification letter. The account will remain with the vendor until repaid or 120 days past due. Upon determination that a loan recipient is 120 days delinquent, ADHE will mail both the recipient and the co-signer a first letter of notification ten (10) days after the installment payment is due. If payment is not received within 60 days from the original payment due date, a second letter of notification will be sent to the loan recipient and the co-signer declaring the account delinquent and requesting that it be immediately brought up to date. If no response is received by 90 days from the original payment due, the third and final letter of notification will be sent to the recipient and co-signer informing them that the account will officially be in default if outstanding payments are not received within 30 days.

II. Skip Tracing Mechanisms

If letters are returned as undeliverable, the Department of Finance and Administration's Motor Vehicle Division can be used to perform skip tracing activities. Motor Vehicle Division's records are updated in March and September each year. To get this information, mail name, current address, and social security number on Arkansas Department of Higher Education letterhead to:

Department of Finance and Administration
Motor Vehicle Division
P. O. Box 1272
Little Rock, AR 72202
ATTENTION: Correspondence Desk

A response from the Motor Vehicle Division should be received within ten (10) working days. Additionally, ADHE will use these steps to locate recipients and/or co-signers if communications are returned as undelivered:

- A. Contact references listed on the recipient's application
- B. Utilize telephone directory or check with directory assistance in the area of the recipient and/or co-signer's last known address
- C. Contact institutional offices (alumni office, admissions office, registrar's office, fraternity or sorority, and the department that the recipient majored in) at the campus where the recipient last attended
- D. Contact creditors, such as credit card companies, credit bureaus, or GSL lender
- E. Contact recipient's field of study professional organization, union, or licensing board
- F. Contact post office
- G. Contact utility companies
- H. Contact Chamber of Commerce.

III. Credit Reporting Agencies

Defaulted recipients and/or co-signers will be reported to the following credit reporting agencies:

- A. CSC Credit Reporting Services, Inc.
- B. T R W Credit Data
- C. Trans Union Credit Reporting

Forms for reporting defaulted loan recipients and/or co-signers are located in the collections file. ADHE will also respond promptly to any inquiries it receives from credit reporting agencies concerning delinquent or defaulted loan recipients and/or co-signers.

IV. State Income Tax Set-Off

By the authority of Act 345 of 1993, ADHE is a claimant agency for the set-off of debts against state tax refunds. To access the Set-Off Section of the State Tax Administration Office, ADHE must submit name, address, social security number, and amount of debt via computer magnetic tape by December 1 to intercept taxes for the next year.

V. Litigation

Award Year	The award year begins on July 1 of one calendar year and ends on June 30 of the next calendar year.
Cancellation	ADHE shall cancel a recipient's repayment obligation if it determines: On the basis of a sworn affidavit of a licensed physician, that the recipient is unable to teach on a full-time basis because of an impairment that is expected to continue indefinitely or result in death. ADHE reserves the right to require a second opinion by an ADHE approved physician; or on the basis of a death certificate or other evidence of death, that is conclusive under state law, that the recipient is deceased.
Default	Failure to repay the Minority Teacher Education scholarship in accordance with the terms of the promissory note provided that this failure persists for 180 days for monthly payments.
Deferment	This is a postponement of repayments and the accrual of interest. ADHE shall not consider that the recipient has violated the repayment schedule if he or she does not meet the payments during the time he or she is in deferment status.
Delta Region	The following 42 counties of Arkansas are designated as being in the Delta Region: Arkansas, Ashley, Baxter, Bradley, Calhoun, Chicot, Clay, Cleveland, Craighead, Crittenden, Cross, Dallas, Desha, Drew, Fulton, Grant, Greene, Independence, Izard, Jackson, Jefferson, Lawrence, Lee, Lincoln, Lonoke, Marion, Mississippi, Monroe, Ouachita, Phillips, Poinsett, Prairie, Pulaski, Randolph, St. Francis, Searcy, Sharp, Stone, Union, Van Buren, White, and Woodruff. (Information obtained from the Delta Foundation in Mississippi.)
Due Diligence	This process refers to those steps ADHE takes to collect Minority Teacher Scholars Program funds when a recipient enters repayment status. It includes: billing the recipient, sending overdue notices, conducting address searches if the recipient cannot be located, reporting the account to credit bureaus, collection, and litigation. Due diligence also includes keeping the recipient informed of all changes in the Minority Teacher Scholars Program that

	affect his or her rights and responsibilities and responding promptly to the recipient's inquiries.
Full-time Student	A student enrolled for a minimum of 12 semester credit hours or the equivalent.
Grace Period	A nine-month period of time following graduation and before the recipient must either take employment in a public school in Arkansas or begin repayment of the scholarship.
Permanent Resident Alien	An individual who can provide documentation from the Immigration and Naturalization Service (INS) that he or she is in the U.S. for other than a temporary purpose with the intention of becoming a citizen or permanent resident. Valid documentation is an I-551, I-151, I-181, I-94, or passport stamped with the notation "Processed for I-551, Temporary Evidence of Lawful Admission for Permanent Residence". A completed Form G-641 can also be used to document permanent resident status.
Promissory Note	The promissory note is a legal document obligating the recipient to repay the loan if he or she does not teach for five (5) or three (3) full years in a subject area shortage or specified geographic area on a full-time basis in a public school in Arkansas. The recipient's rights and responsibilities will be stated on the promissory note.
Satisfactory Academic Progress	Satisfactory academic progress is maintained if the recipient has a minimum 2.50 cumulative grade point average on a 4.0 scale.
Skip Tracing	A process for locating a recipient who is in repayment status. ADHE's efforts may include contacting relatives, friends, references, and other individuals or entities in the recipient's file.
Teach on a Full-time Basis	Teach the same number of hours required of teachers who have full-time contracts, as determined by the institution or agency at which an individual is teaching, for a minimum of one academic term, as defined by the institution or agency in which an individual is teaching.

U.S. Citizen or National

The term "U.S. citizen" includes persons born or who have become naturalized citizens of the 50 States, the District of Columbia, Puerto Rico, the Virgin Islands, Guam, the Northern Mariana Islands, and Trust Territory - Palau. The term "national" includes citizens of American Samoa or Swain's Island.

Approved: Agenda Item No. 3
July 22, 1994

Amended: Agenda Item No. 1 (Added Asian-Americans and Hispanics to qualifying
April 7, 1997 minorities)

Amended: Agenda Item No. 34
July 23, 1999

Amended: Agenda Item No. 14
October 20, 2000

Amended: Agenda Item No. 24 (Added Native Americans to qualifying minorities)
February 2, 2001

SREB DOCTORAL SCHOLARS PROGRAM

The State Board of Higher Education (SBHE) is authorized by Act 1259 of 1993 to determine areas of critical and strategic need for graduates in specific courses of study and for racial and gender diversity, and to design a financial assistance program of grants and forgivable loans to meet the state's needs.

In order to determine the critical and strategic needs of the state, the SBHE sought advice and comment from the general public through a series of public hearings held in fifteen locations across Arkansas in the fall of 1993. After analyzing comments received at the hearings and considering other data, the State Board Financial Aid Committee identified as a critical need of the state the elimination of a shortage of doctoral-level African-Americans in the teaching profession.

The ADHE staff was subsequently directed to address the shortage in this area by establishing a forgivable loan program that would assist African-American students desiring entry into a Ph.D. program in mathematics, science, engineering, and foreign language and that requires dissertation completion. **No Ed.D. programs will qualify for this program.** Pursuant to this directive, the ADHE staff recommends the adoption of the Southern Regional Education Board (SREB) Doctoral Scholars Program, as amended, in this agenda item.

Included in this agenda item are the Memorandum of Agreement provided by SREB and the amendments establishing the forgivable loan provisions of the Arkansas program. The agreement outlines the responsibilities of the participants - scholars, universities, states, and the Southern Regional Education Board. The amendments include additional conditions for scholars entering the program and the rules and regulations governing the forgivable loan provisions of the program.

Students eligible to apply for the program are African-American students who hold or will receive a bachelor's degree or a master's degree from a regionally accredited college or university and will go directly into an eligible doctoral program in the fall semester of 1995. Eligible students who have completed some graduate work are also eligible, but students currently enrolled in doctoral programs are not eligible because this program is intended to increase minority enrollment at the participating universities.

It is recommended that the SBHE allocate \$100,000 in 1995-1996 and \$200,000 in 1996-1997 for the SREB Doctoral Scholars Program. The individual awards will consist of a waiver by the institution of tuition and fees and \$17,000 in benefits per student to include a \$12,000 annual stipend for three years, \$1,500 allowance for expenses associated with the Doctoral Scholars' annual meeting, \$500 annual stipend for books and materials, and \$3,000 annual assessment by SREB for administrative costs.

In return for the financial assistance and upon completion of the program, recipients agree to return to Arkansas to complete one year of teaching service for each year of assistance under the

program in order to have forgiven the total loan amount. This shall be in addition to any teaching obligation the recipient is required to fulfill due to receiving an undergraduate or other graduate scholarship.

Recipients who do not teach full-time in an Arkansas public school or public institution of higher education following certification, or who discontinue their studies prior to completing their programs of study, shall go into repayment for the amount of the loan and any accrued interest.

The following resolution was approved by the State Board on October 21, 1994 (Item No. 5):

RESOLVED, That the State Board of Higher Education adopts the rules and regulations presented in this agenda item that act to amend the Doctoral Scholars Program of The Southern Regional Education Board.

RESOLVED, That the State Board of Higher Education approves the allocation of \$100,000 in 1995-1996 and \$200,000 in 1996-1997 to the Doctoral Scholars Program, as amended, for implementation beginning in the fall of 1995.

RESOLVED, That the Director of the Department of Higher Education is authorized to act on behalf of the State Board of Higher Education in order to effect the provisions of the Memorandum of Agreement of July, 1994, and its related amendments, of the Doctoral Scholars Program of The Southern Regional Education Board States.

FURTHER RESOLVED, That should any errors of a technical nature be found in these rules and regulations, the State Board of Higher Education authorizes the Director to make appropriate corrections consistent with Act 1259 of 1993 and the effective administration of this program.

Citation: [6-81-131](#)

AMENDMENT TO SREB DOCTORAL SCHOLARS PROGRAM

On April 7, 1997, following a public hearing held on February 7, 1997, the State Board approved amendments to the four minority scholarship programs (Minority Teacher Scholars Program, Freshman/Sophomore Minority Grant Program, SREB Doctoral Scholars Program, and Minority Masters Fellows Program) to broaden eligibility for these programs to Arkansas residents who are Hispanic or Asian-American. In addition, the SREB Doctoral Scholars Program was expanded to include those who have completed all coursework for the doctoral degree but are just beginning the dissertation.

The State Board established Doctoral Scholars Program on October 21, 1994, by agreeing to join the SREB Compact for Faculty Diversity, an innovative program to increase the number of minority Ph.D. graduates in the United States. The Southern Regional Education Board has joined with the Western Interstate Compact for Higher Education (WICHE) and the New England Board of Higher Education (NEBHE) in this effort, which makes a wide array of doctoral programs available to Arkansans who, then, under the terms of the program would return to teach in Arkansas.

Proposed rules changes would expand eligibility to Hispanics and Asian-Americans, add academic fields with a demonstrated national underrepresentation of minority Ph.D.s, open the program to doctoral candidates who have completed all degree requirements except the dissertation, and clarify the scholarship repayment provisions. Staff recommends approval of the new rules described below:

a. Amend Rule 2-I to read: "I. Recipients must be African-American, Hispanic or Asian-American and be U.S. citizens or permanent resident aliens who are Arkansas residents."

b. Amend Rule 2-II to read: "II. Recipients must be enrolled in an eligible Ph.D. program in math, the sciences, engineering, foreign languages or other academic discipline areas where minority doctoral degree recipients are underrepresented nationally. Ed.D. or Ph.D. programs in education (CIP 13) do not qualify for inclusion in this program. Recipients must enroll as full-time doctoral students in an eligible program or qualify for an A.B.D. award under Southern Regional Education Board guidelines."

c. Amend Rule 4-III-A to read: "A. In the reasonable judgment of ADHE, scheduled loan repayments may be deferred if ADHE determines that circumstances prevent the recipient from making such repayments. Deferments may be granted for the following reasons:"

d. Amend Rule 4-III-A-4 to read: "4. Other circumstances which in the reasonable judgment of ADHE would prevent the recipient from repaying the debt within the contractual obligations of the promissory note will be considered."

e. Amend Rule 6, Program Definitions, as follows: "Eligible Ph.D. Program. Ph.D. programs eligible under the Doctoral Scholars Program are mathematics, the sciences, engineering, foreign languages, and other academic discipline areas where minority doctoral

degree recipients are underrepresented nationally. Ed.D. or Ph.D. programs in education (CIP 13) do not qualify for inclusion in this program.”

f. Amend Rule 6, Program Definitions, by dropping the definition of “Resident,” to be consistent with other ADHE scholarship program rules and regulations.

A resolution adopting the proposed changes was approved by the State Board on April 7, 1997 (Item No. 1):

RESOLVED, That the State Board of Higher Education adopts the amendments to rules and regulations governing minority scholarship programs, as presented in this agenda item, effective immediately.

FURTHER RESOLVED, That the State Board directs the staff of the Department of Higher Education to incorporate these changes into the rules and regulations for each affected program, to disseminate the new rules and regulations and to make appropriate technical corrections consistent with the authorizing legislation.

**DOCTORAL SCHOLARS PROGRAM AMENDMENTS FOR ARKANSAS
RESIDENTS**

RULE 1 - SELECTION PROCESS

- I. The Southern Regional Education Board (SREB) shall be responsible for the selection of qualified applicants that meet the Scholar Eligibility requirements in Rule 2 of these amendments.
- II. The Director of the Doctoral Scholars Program for SREB shall withhold any payments on behalf of any student accepted into the program until such time as a signed Promissory Note in favor of the Arkansas Department of Higher Education has been obtained from such student.

RULE 2 - SCHOLAR ELIGIBILITY

- I. Recipients must be African-American, Hispanic, ~~or~~ Asian-American, or Native American and be U. S. citizens or permanent resident aliens who are Arkansas residents.
 1. For guidance purposes, the terms African-American, Hispanic, Asian-American, and Native American are based on the Race/Ethnic classifications utilized by the Integrated Postsecondary Education Data System (IPEDS) as follows:
 - a. African-American = Black/Non-Hispanic: a person having origins in any other black racial groups of Africa.
 - b. Hispanic: a person of Mexican, Puerto Rican, Cuban, Central or South American or other Spanish culture or origin, regardless of race.
 - c. **Asian-American = Asian or Pacific Islander: a person having origins in any of the original peoples of the Far East, Southeast Asia, the Indian subcontinent, or the Pacific Islands. This area includes those from China, Japan, Korea, the Philippine Islands, Samoa, India and Vietnam.**
 - d. Native American = American Indian or Alaska Native: a person having origins in any of the original peoples of North America and who maintain cultural identification through tribal affiliation or community recognition
- II. Recipients must be enrolled in an eligible Ph.D. program in math, the sciences, engineering, foreign languages, or other academic discipline areas where minority doctoral degree recipients are underrepresented nationally. Ed.D. or Ph.D. programs in education (CIP 13) do not qualify for inclusion in this program. Recipients must enroll as full-time doctoral students in an eligible program or qualify for an A.B.D. award under Southern Regional Education Board guidelines.

- III. Individuals desiring acceptance into this program must apply to the Doctoral Scholars Program Director of the Southern Regional Education Board, 592 Tenth Street, N.W., Atlanta, Georgia, 30318-5790.
- IV. Individuals who are accepted into the Doctoral Scholars Program must execute a Promissory Note and Agreement in favor of the Arkansas Department of Higher Education that incorporates the terms and conditions outlined in these amendments.

RULE 3 - LOAN FORGIVENESS

- I. A recipient's loan shall be forgiven at the rate of one year teaching service in exchange for one year of receiving a forgivable loan.

RULE 4 - REPAYMENT OF FORGIVABLE LOAN

- I. Terms of Repayment
 - A. Recipients who teach full-time in an Arkansas public school or public institution of higher education for one year per each year of receiving forgivable loan shall have the total loan and accrued interest forgiven. The teaching commitment shall be in addition to any teaching obligation the recipient may have to fulfill based on receipt of a Minority Teacher Scholars Program or Minority Masters Fellows Program.
 - B. Recipients who do not teach full-time in an Arkansas public school or public institution of higher education following certification, or who discontinue their studies prior to completing their programs of study, shall go into repayment.
 - C. The repayment schedule will be set in monthly payments based on the total amount of the loan remaining at the time of entry into repayment, plus interest. Payments will be computed to ensure that repayment will be completed within a maximum of five years from the completion of study or withdrawal from school.
- II. Interest on Loan
 - A. Interest will accrue from the beginning of the repayment period at a maximum annual percentage rate not to exceed five percent (5%) per annum above the Federal Reserve Discount Rate at the time of the contract on the outstanding principal.
 - B. Interest will not accrue and installments need not be paid when a deferment has been approved by the Arkansas Department of Higher Education. Any recipient who desires a deferment must submit an application for deferment to ADHE for approval.
- III. Deferment of Loan
 - A. In the reasonable judgment of ADHE, scheduled loan repayments may be deferred if ADHE determines that circumstances prevent the recipient from making such repayments. Deferments may be granted for the following reasons:

1. The recipient is seeking but is unable to find employment as a teacher in an approved subject area for a single period not to exceed twelve (12) months. The loan recipient must submit a list of schools contacted for employment. ADHE will verify this information with the schools listed.
2. The recipient is temporarily totally disabled, for a period not to exceed three years, as established by sworn affidavit from a licensed physician. ADHE reserves the right to require a second opinion by an ADHE approved physician.
3. The recipient is unable to secure employment for a period not to exceed twelve (12) months by reason of the care of a spouse who is disabled, as established by the signature of a licensed physician. ADHE reserves the right to require a second opinion by an ADHE approved physician.
4. Other circumstances which in the reasonable judgment of ADHE would prevent the recipient from repaying the debt within the contractual obligations of the promissory note will be considered.

B. To qualify for any of the deferments, recipients must notify ADHE of their claim to the deferment on a Request for Deferment form which will be supplied by ADHE upon request. The form must be completed and returned, along with supporting documentation, to ADHE. ADHE will notify the recipient within ten (10) working days of approval or disapproval of any application for a deferment.

IV. Cancellation of Scholarship

ADHE will cancel a recipient's repayment obligations if it determines:

- A. On the basis of a sworn affidavit of a licensed physician, that the person is unable to teach on a full-time basis because of an impairment that is expected to continue indefinitely or result in death. ADHE reserves the right to require a second opinion by an ADHE approved physician; or
- B. On the basis of a death certificate or other evidence of death, that is conclusive under state law, that the person has died.

V. Prepayment of Loan

There shall be no penalty for prepayment or repayment of all or any portion of the principal.

VI. Grace Period

There will exist a nine-month grace period following graduation before the recipient must either take employment in a public institution of higher education in an approved subject specified for this program or begin repayment of the loan.

VII. Failure to Repay

Recipients who fail to meet their repayment obligations may have added to their total obligation any costs for collection of the debt.

RULE 5 - COLLECTION OF LOAN

I. Collection of Loan

Accounts will be retained by ADHE in the Financial Aid Division until the individual is no longer eligible for forgiveness or deferment due to the individual's failure to remain employed in the teaching field for the specified time period. At that time, the terms of the loan provisions will activate and the account will be turned over to a vendor for servicing. ADHE will notify the student by mail of this action and include a loan amortization schedule with the notification letter. The account will remain with the vendor until repaid or 120 days past due. Upon determination that a loan recipient is 120 days delinquent, ADHE will mail both the recipient and the co-signer a first letter of notification ten (10) days after the installment payment is due. If payment is not received within 60 days from the original payment due date, a second letter of notification will be sent to the loan recipient and the co-signer declaring the account delinquent and requesting that it be immediately brought up to date. If no response is received by 90 days from the original payment due, the third and final letter of notification will be sent to the recipient and co-signer informing them that the account will officially be in default if outstanding payments are not received within 30 days. At this point, defaulted recipients and/or cosigners will be reported to credit reporting agencies, a state income tax set-off will be requested, and a civil suit will be initiated, if necessary, against the recipient and co-signer for repayment of the loan.

II. Skip Tracing Mechanisms

If letters are returned as undeliverable, the Department of Finance and Administration's Motor Vehicle Division can be used to perform skip tracing activities. Motor Vehicle Division's records are updated in March and September each year. To get this information, mail name, current address, and social security number on Arkansas Department of Higher Education letterhead to:

Department of Finance and Administration
Motor Vehicle Division
P. O. Box 1272
Little Rock, AR 72202
ATTENTION: Correspondence Desk

A response from the Motor Vehicle Division should be received within ten (10) working days. Additionally, ADHE will use these steps to locate recipients and/or co-signers if communications are returned as undelivered:

1. Contact references listed on the recipient's application
2. Utilize telephone directory or check with directory assistance in the area of the recipient and/or co-signer's last known address
3. Contact institutional offices (alumni office, admissions office, registrar's office, fraternity or sorority, and the department recipient's academic discipline) at the campus where the recipient last attended
4. Contact creditors, such as credit card companies, credit bureaus, or GSL lender
5. Contact recipient's field of study professional organization, union, or licensing board
6. Contact post office
7. Contact utility companies
8. Contact Chamber of Commerce.

III. Credit Reporting Agencies

Defaulted recipients and/or co-signers will be reported to the following credit reporting agencies:

1. CSC Credit Reporting Services, Inc.
2. T R W Credit Data
3. Trans Union Credit Reporting

Forms for reporting defaulted loan recipients and/or co-signers are located in the collections file. ADHE will also respond promptly to any inquiries it receives from credit reporting agencies concerning delinquent or defaulted loan recipients and/or co-signers.

IV. State Income Tax Set-Off

By the authority of Act 345 of 1993, ADHE is a claimant agency for the set-off of debts against state tax refunds. To access the Set-Off Section of the State Tax Administration Office, ADHE must submit name, address, social security number, and amount of debt via computer magnetic tape by December 1 to intercept taxes for the next year.

V. Litigation

No sooner than 30 days after sending the third letter of notification, ADHE may institute a civil suit against the recipient and co-signer for repayment of the scholarship. Small Claims Courts will be used to satisfy debts of accounts up to \$3,000.00. If over \$3,000.00 ADHE must use Circuit Court. If the account is \$3,000.01 or above, ADHE may choose to use Small Claims Court and waive the difference because of the expense involved in going to Circuit Court. If ADHE chooses to waive the difference, it may not, at a later date, attempt to collect the difference. Forms to take the recipient and/or co-signer to Small Claims Court are requested from the recipient's and/or co-signer's county of residence.

VI. Write-Offs

SREB Doctoral Scholars Program forgivable loans may be written off as uncollectible if ADHE shows due diligence to satisfy the collection of the debt, and documents in the recipient's file reflect that:

- A. the cost of litigation would exceed the likely recovery if litigation were commenced;
or
- B. the recipient and co-signer do not have the means to satisfy a judgment on the debt, or a substantial portion thereof.

Proof of due diligence collection activities must be submitted to the administrator of the Department of Finance and Administration and approved by the administrator before SREB Doctoral Scholars Program accounts may be written off as uncollectible.

VII. Nonpayment Penalties

Recipients who fail to meet their repayment obligations may have added to their total obligation any costs for collection of the debt.

RULE 6 - PROGRAM DEFINITIONS

The following definitions are used in the SREB Doctoral Scholars Program:

Cancellation	ADHE shall cancel a recipient's repayment obligation if it determines: On the basis of a sworn affidavit of a licensed physician, that the recipient is unable to teach on a full-time basis because of an impairment that is expected to continue indefinitely or result in death. ADHE reserves the right to require a second opinion by an ADHE approved physician; or on the basis of a death certificate or other evidence of death, that is conclusive under state law, the recipient is deceased.
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Default	Failure to repay the SREB Doctoral Scholars Program scholarship in accordance with the terms of the promissory note provided that this failure persists for 180 days for monthly payments.
Deferment	This is a postponement of repayments and the accrual of interest. ADHE shall not consider that the recipient has violated the repayment schedule if he or she does not meet the payments during the time he or she is in deferment status.
Due Diligence	This process refers to those steps ADHE takes to collect SREB Doctoral Scholars Program funds when a recipient enters repayment status. It includes: billing the recipient, sending overdue notices, conducting address searches if the recipient cannot be located, reporting the account to credit bureaus, collection, and litigation. Due diligence also includes keeping the recipient informed of all changes in the SREB Doctoral Scholars Program that affect his or her rights and responsibilities and responding promptly to the recipient's inquiries.
Eligible Ph.D. Program	Ph.D. programs eligible under the Doctoral Scholars Program are mathematics, the sciences, engineering, foreign languages, and other academic discipline areas where minority doctoral degree recipients are under-represented nationally. Ed.D. or Ph.D. programs in education (CIP 13) do not qualify for inclusion in this program.
Grace Period	A nine-month period of time following graduation and before the recipient must either take employment in an Arkansas public school or public institution of higher education or begin repayment of the scholarship.
Permanent Resident Alien	An individual who can provide documentation from the Immigration and Naturalization Service (INS) that he or she is in the U.S. for other than a temporary purpose with the intention of becoming a citizen or permanent resident. Valid documentation is an I-551, I-151, I-181, I-94, or passport stamped with the notation "Processed for I-551, Temporary Evidence of Lawful Admission for Permanent Residence". A completed Form G-641 can also be used to document permanent resident status.
Promissory Note	The promissory note is a legal document obligating the recipient to repay the loan if he or she does not teach for one (1) full year for each year of participation in the SREB Doctoral Scholars Program in an approved subject area on a full-time basis in an

Arkansas public school or public institution of higher education. The recipient's rights and responsibilities will be stated on the promissory note.

Skip Tracing

A process for locating a recipient who is in repayment status. ADHE's efforts may include contacting relatives, friends, references, and other individuals or entities in the recipient's file.

Teach on a Full-time Basis

Teach the same number of hours required of teachers who have full-time contracts, as determined by the institution or agency at which an individual is teaching, for a minimum of one academic term, as defined by the institution or agency in which an individual is teaching.

U.S. Citizen or National

The term "U.S. citizen" includes persons born or who have become naturalized citizens of the 50 States, the District of Columbia, Puerto Rico, the Virgin Islands, Guam, the Northern Mariana Islands, and Trust Territory - Palau. The term "national" includes citizens of American Samoa or Swain's Island.

Approved: Agenda Item No. 5
October 21, 1994

Amended: Agenda Item No. 1 (Added Asian-Americans and Hispanics to qualifying minorities)
April 7, 1997

Amended: Agenda Item No. 14
October 20, 2000

Amended: Agenda Item No. 24 (Added Native Americans to qualifying minorities)
February 2, 2001

**MINORITY MASTERS FELLOWS PROGRAM
RULES AND REGULATIONS
(REVISED)**

As a means of easing administrative burdens and reducing paperwork at Arkansas colleges and universities, revisions to the rules and regulations of the following programs are proposed: Arkansas Student Assistance Grant, Missing in Action/Killed in Action Scholarship, Minority Teachers' Scholarship, Emergency Secondary Education Loan Program and Minority Master's Fellows Program. The proposal would eliminate the need for an annual administrative agreement and set the institutional responsibilities in the rules and regulations.

A proposed clause is added to the rules and regulations of those programs that do not have a provision to comply with Section 14 of Act 1180 of 1999, the state law that prohibits the use of public funds in any student's financial aid package where the total financial aid package exceeds the recognized cost of attendance. This clause would direct the institution to follow the ADHE policy regarding the stacking of scholarships.

General technical changes are proposed to simplify administrative procedures of the programs. In compliance with the Administrative Procedures Act of 1979, a public hearing was announced in a newspaper of general circulation to discuss the rules and regulations which will govern these student financial aid programs. The hearing was held on July 22, 1999, in conjunction with a meeting of the Arkansas Higher Education Coordinating Board.

The following resolution was approved by the Higher Education Coordinating Board on July 23, 1999 (Agenda Item No. 34):

RESOLVED, That the Arkansas Higher Education Coordinating Board adopts the rules and regulations presented in this agenda item for the Arkansas Student Assistance Grant, Missing in Action/Killed in Action Scholarship, Minority Teachers' Scholarship, Emergency Secondary Education Loan Program and Minority Masters' Fellows Program administered by the Arkansas Department of Higher Education.

FURTHER RESOLVED, That, by the adoption of these rules and regulations presented in this agenda item, the Director of the Arkansas Department of Higher Education or his designee is authorized to promulgate these rules and regulations and to implement them for the 1999-2000 academic year.

FURTHER RESOLVED, That the Director of the Arkansas Department of Higher Education or his designee is authorized to make technical changes and corrections when necessary in the program rules for the Arkansas Student Assistance Grant, Missing in Action/Killed in Action Scholarship, Minority Teachers' Scholarship, Emergency Secondary Education Loan Program and Minority Masters Fellows Program

Citation: [6-81-131](#)

**MINORITY MASTERS FELLOWS PROGRAM RULES
(REVISED)**

RULE 1 - ORGANIZATION AND STRUCTURE

- I. The Arkansas Department of Higher Education (ADHE) shall administer the Minority Masters Fellows Program within the policies set by the State Board of Higher Education. The program will provide scholarships to students who have completed their baccalaureate degrees and are entering a master's program in mathematics, science, or foreign language, and to students in the fifth year of a five-year teacher education program who were eligible to participate in the Minority Teacher Scholars Program. Beginning with the 1997-98 academic year, applicants who enroll in master's degree program in education must have been recipients of the Minority Teacher Scholars Program scholarships.

All formal communications shall be addressed to or signed by the Director of the Arkansas Department of Higher Education or his/her designee.

- II. The final responsibility for selecting scholarship recipients shall rest with the Director of the Arkansas Department of Higher Education.

RULE 2 - SCHOLARSHIP ELIGIBILITY CRITERIA

I. Eligibility Criteria

- A. Applicants must be African-American, Hispanic, ~~or~~ Asian-American, or Native American.

1. For guidance purposes, the terms African-American, Hispanic, Asian-American, and Native American are based on the Race/Ethnic classifications utilized by the Integrated Postsecondary Education Data System (IPEDS) as follows:

- a. African-American = Black/Non-Hispanic: a person having origins in any other black racial groups of Africa.

- b. Hispanic: a person of Mexican, Puerto Rican, Cuban, Central or South American or other Spanish culture or origin, regardless of race.

- c. **Asian-American = Asian or Pacific Islander: a person having origins in any of the original peoples of the Far East, Southeast Asia, the Indian subcontinent, or the Pacific Islands. This area includes those from China, Japan, Korea, the Philippine Islands, Samoa, India and Vietnam.**

- d. Native American = American Indian or Alaska Native: a person having origins in any of the original peoples of North America and who maintain cultural identification through tribal affiliation or community recognition.
- B. Applicants must be bona fide Arkansas residents, as defined by the Arkansas Department of Higher Education, for at least six months prior to the application deadline.
- C. Applicants must be citizens of the United States or permanent resident aliens.
- D. Applicants must be enrolled full-time in a public or independent 4-year institution located in Arkansas. Full-time is defined as a minimum of nine college semester hours, or the equivalent, excluding correspondence courses.
- E. Applicants must have received a baccalaureate degree. They must be admitted to a master's level program in mathematics, the sciences or foreign languages at an Arkansas university. In addition, students in the fifth year of a five-year teacher education program who were eligible for the Minority Teacher Scholars Program scholarship are eligible for the Minority Masters Fellows Program if their undergraduate major field was mathematics, any of the sciences or foreign languages. In 1995-96 and 1996-97, such applicants are eligible to receive Minority Masters Fellowships whether or not they actually received a Minority Teacher Scholars scholarship. Starting in 1997-98, however, a fifth-year master's program applicant must have been a recipient of the Minority Teacher Scholars award.
- F. Priority will be given to applicants who have completed baccalaureate degrees within the past two years.
- G. Applicants must have a minimum 2.75 cumulative grade point average on a 4.0 scale (or its equivalent). For continued eligibility, masters fellows must maintain a 3.0 grade point average.

RULE 3 - SELECTION PROCESS

- I. Students must submit an application to the Arkansas Department of Higher Education. Applications will be mailed to presidents and chancellors for distribution to all deans and department chairs, to financial aid directors, and to Teacher Certification Officials at all public and independent four-year institutions in the State of Arkansas. Applications may also be obtained from ADHE upon request.
- II. Deadline for Applications

The application deadline will be established by the Arkansas Department of Higher Education and published in its brochure and announced to each participating institution when applications are distributed.
- III. Review of Applications

For applications that are either incomplete or ineligible, a notice will be sent to the applicant identifying the reason for incompleteness or ineligibility. The applicant will then have the opportunity to provide the missing information or correct any inaccurate information.

IV. Ranking of Applicants

Applications are ranked according to a combination of components including cumulative grade point average and major grade point average.

V. Selection and Notification of Recipients

A. The ADHE shall review ranked applicants and make recommendations for scholarship recipients based on allocation of funds. The total of initial awards shall not exceed \$200,000 in 1995-96.

B. The final responsibility for selecting scholarship recipients shall rest with the Director of the Arkansas Department of Higher Education.

C. Recipients will be notified by mail of their awards.

VI. Institutional Eligibility

The institution to be attended under the scholarship program must be an Arkansas public or independent four-year institution and must meet federal institutional eligibility requirements.

RULE 4 - AWARDING OF SCHOLARSHIP

I. Award Process

Scholarship recipients will be mailed award notices announcing their selection for the program. Prior to the disbursement of funds, each recipient will receive a promissory note for the purpose of entering into an agreement with ADHE. The terms of the agreement will include the general purpose, repayment and deferment procedures, interest calculations, and a schedule of advances. The promissory note shall be signed by the scholarship recipient and by a co-maker of eligible age. Modifications to any award amounts will be confirmed through the issuance of a new promissory note.

II. Limitation of Scholarships

A. Students may receive up to \$7,500 for one academic year (or up to \$2,500 per summer for no more than three summers).

B. Students may receive the scholarship for a maximum of one academic year (or no more than three summers).

- III. Act 1180 of 1999 states that students who receive scholarships from public funds may not use those funds in a financial aid package to exceed the federally recognized cost of attendance at the institution where the student enrolls. The institution must follow ADHE policy in repaying public funds in the amount exceeding the total cost of attendance for any student who receives public funds in a financial aid package above the cost of attendance.

RULE 5 - REPAYMENT OF SCHOLARSHIP

I. Terms of Repayment

- A. Scholarship recipients who teach full-time in an Arkansas public school or public institution of higher education for two years shall have the total scholarship and related interest forgiven. This shall be in addition to any teaching obligation the recipient may have to fulfill based on receipt of a Minority Teacher Scholars Program scholarship.
- B. Recipients who do not teach full-time in an Arkansas public school or public institution of higher education, or who discontinue their studies prior to completing their programs of study, shall go into repayment.
- C. The repayment schedule will be set in monthly payments based on the total amount of the loan remaining at the time of entry into repayment, plus interest. Payments will be computed to ensure that repayment will be completed within a maximum of five years from the completion of study or withdrawal from school.

II. Interest on Loan

- A. Interest will accrue from the beginning of the repayment period at a maximum annual percentage rate not to exceed five percent (5%) per annum above the Federal Reserve Discount Rate at the time of the contract on the outstanding principal.
- B. Interest will not accrue and installments need not be paid when a deferment has been approved by the Arkansas Department of Higher Education. Any recipient who desires a deferment must submit an application for deferment to ADHE for approval.

III. Deferment of Loan

- A. At ADHE's discretion, scheduled loan repayments may be deferred if ADHE determines that extraordinary circumstances prevent the recipient from making such repayments. Deferments may be granted for the following conditions:
1. The recipient is engaged in a full-time course of doctoral study at an institution of higher education. This must be verified by the Registrar's Office.
 2. The recipient is seeking and unable to find employment as a teacher for a single period not to exceed twelve (12) months. The loan recipient must

submit a list of schools contacted for employment. ADHE will verify this information with the schools listed.

3. The recipient is temporarily totally disabled, for a period not to exceed three years, as established by sworn affidavit from a licensed physician. ADHE reserves the right to require a second opinion by an ADHE approved physician.
 4. The recipient is unable to secure employment for a period not to exceed twelve (12) months by reason of the care of a spouse who is disabled, as established by the signature of a licensed physician. ADHE reserves the right to require a second opinion by an ADHE approved physician.
 5. Other extraordinary circumstances which would prevent the recipient from repaying the debt within the contractual obligations of the promissory note may be considered.
- B. To qualify for any of the deferments, recipients must notify ADHE of their claim to the deferment on a Request for Deferment form which will be supplied by ADHE upon request. The recipient must complete the Request for Deferment form and return it, along with supporting documentation, to ADHE. ADHE will notify the recipient within ten (10) working days of approval or disapproval of any application for a deferment.

IV. Cancellation of Scholarship

ADHE will cancel a recipient's repayment obligations if it determines:

- A. On the basis of a sworn affidavit of a licensed physician, that the recipient is unable to teach on a full-time basis because of an impairment that is expected to continue indefinitely or result in death. ADHE reserves the right to require a second opinion by an ADHE approved physician; or
- B. On the basis of a death certificate or other evidence of death, that is conclusive under state law, that the recipient has died.

V. Prepayment of Loan

There shall be no penalty for prepayment or repayment of all or any portion of the principal.

VI. Grace Period

There will exist a nine-month grace period following graduation before the recipient must either take employment in an Arkansas public school or public institution of higher education in an approved subject specified for this program or begin repayment of the scholarship.

VII. Failure to Repay

Scholarship recipients who fail to meet their repayment obligations may have added to their total obligation any costs for collection of the debt.

RULE 6 - INSTITUTIONAL RESPONSIBILITIES

I. College/University Responsibilities

A. Institutional Verification

The institution shall provide certification to ADHE each semester after registration, giving the names of the program scholarship recipients who are officially enrolled as full-time students and their grade point average. This information is reported on a verification roster.

The certifying official is responsible for completing the verification roster two times a year for those institutions on the semester system and three times a year for those institutions on the trimester system. The verification roster will be mailed to the financial aid director at the time of registration for each term. The signed verification roster should be returned to ADHE by July 1 for the summer I term, September 1 for the summer II term, November 1 for the fall term, March 15 for the winter and/or spring term, and May 1 of the spring term for institutions on the trimester system.

The verification roster is an alphabetical listing by institution of all persons receiving a Minority Masters Fellows scholarship for a given academic semester or trimester. Students who are not enrolled full-time in the current term shall not receive scholarship benefits in that term.

B. Refund Policy

It is the institution's responsibility to notify ADHE of the names of any persons owing a refund, the date of the withdrawal, and the refund amount. This information should be placed on the institution's verification roster before returning it to ADHE.

C. Deadlines for Disbursement of Funds

The scholarship will be divided equally according to the number of terms at each institution: three payments for those institutions on trimesters and two payments for those institutions on semesters. After verification of full-time enrollment for the scholarship recipients, the institutions disburse the funds in accordance with its policy.

D. Due Diligence

The institution will exercise due diligence in providing complete, accurate, and timely information as requested by ADHE on any current or former loan recipient. In addition, the institution will exercise due diligence in complying with all the rules and regulations of the Minority Master's Fellows Program. The Arkansas Department of Higher Education will periodically review the institution's records concerning this program in an effort to exercise its due diligence requirements as a steward of state funds.

RULE 7 - SCHOLARSHIP RECIPIENT'S RESPONSIBILITY

I. Recipient's Responsibility

It is the recipient's responsibility to notify the Arkansas Department of Higher Education of any change in status within 21 days. This will include:

Change in name

Change in residence

Change in institution

Change in full-time status (below nine college semester credit hours or its equivalent per semester or trimester)

Change in course of study and/or

Change in employment.

Failure to notify the Arkansas Department of Higher Education of a change in status will affect future eligibility or collection status.

RULE 8 - COLLECTION OF LOAN

I. Collection of Loan

Accounts will be retained by ADHE in the Financial Aid Division until the individual is no longer eligible for forgiveness or deferment due to the recipient's failure to remain employed in the teaching field for the specified time period. At that time, the scholarship will be converted to a loan and the account will be turned over to a vendor for servicing. ADHE will notify the student by mail of this action and include a loan amortization schedule with the notification letter. The account will remain with the vendor until repaid or 120 days past due. Upon determination that a loan recipient is 120 days delinquent, ADHE will mail both the recipient and the co-signer a first letter of notification ten (10) days after the installment payment is due. If payment is not received within 60 days from the original payment due date, a second letter of notification will be sent to the loan

recipient and the co-signer declaring the account delinquent and requesting that it be immediately brought up to date. If no response is received by 90 days from the original payment due, the third and final letter of notification will be sent to the recipient and co-signer informing them that the account will officially be in default if outstanding payments are not received within 30 days. At this point, defaulted recipients and/or cosigners will be reported to credit reporting agencies, a state income tax set-off will be requested, and a civil suit will be initiated, if necessary, against the recipient and co-signer for repayment of the loan.

II. Skip Tracing Mechanisms

If letters are returned as undeliverable, the Department of Finance and Administration's Motor Vehicle Division can be used to perform skip tracing activities. Motor Vehicle Division's records are updated in March and September each year. To get this information, mail name, current address, and social security number on Arkansas Department of Higher Education letterhead to:

Department of Finance and Administration
Motor Vehicle Division
P. O. Box 1272
Little Rock, AR 72202
ATTENTION: Correspondence Desk

A response from the Motor Vehicle Division should be received within ten (10) working days. Additionally, ADHE will use these steps to locate recipients and/or co-signers if communications are returned as undelivered:

- A. Contact references listed on the recipient's application
- B. Use telephone directory or check with directory assistance in the area of the recipient and/or co-signer's last known address
- C. Contact institutional offices (alumni office, admissions office, registrar's office, fraternity or sorority, and the department that the recipient majored in) at the campus where the recipient last attended
- D. Contact creditors, such as credit card companies, credit bureaus, or GSL lender
- E. Contact recipient's field of study professional organization, union, or licensing board
- F. Contact post office
- G. Contact utility companies
- H. Contact Chamber of Commerce.

III. Credit Reporting Agencies

Defaulted recipients and/or co-signers will be reported to the following credit reporting agencies:

- A. CSC Credit Reporting Services, Inc.
- B. T R W Credit Data
- C. Trans Union Credit Reporting

Forms for reporting defaulted loan recipients and/or co-signers are located in the collections file. ADHE will also respond promptly to any inquiries it receives from credit reporting agencies concerning delinquent or defaulted loan recipients and/or co-signers.

IV. State Income Tax Set-Off

By the authority of Act 345 of 1993, ADHE is a claimant agency for the set-off of debts against state tax refunds. To access the Set-Off Section of the State Tax Administration Office, ADHE must submit name, address, social security number, and amount of debt via computer magnetic tape by December 1 to intercept taxes for the next year.

V. Litigation

No sooner than 30 days after sending the third letter of notification, ADHE may institute a civil suit against the recipient and co-signer for repayment of the scholarship. Small Claims Courts will be used to satisfy debts of accounts up to \$3,000.00. If over \$3,000.00 ADHE must use Circuit Court. If the account is \$3,000.01 or above, ADHE may choose to use Small Claims Court and waive the difference because of the expense involved in going to Circuit Court.

If ADHE chooses to waive the difference, it may not, at a later date, attempt to collect the difference. Forms to take the recipient and/or co-signer to Small Claims Court are requested from the recipient's and/or co-signer's county of residence.

VI. Write-Offs

Minority Masters Fellows scholarships may be written off as uncollectible if ADHE shows due diligence to satisfy the collection of the debt, and documents in the recipient's file reflect that:

- A. The cost of litigation would exceed the likely recovery if litigation were commenced;
or
- B. The recipient and co-signer do not have the means to satisfy a judgment on the debt, or a substantial portion thereof.

Proof of due diligence collection activities must be submitted to the administrator of the Department of Finance and Administration and approved by the administrator before Minority Masters Fellows Program accounts may be written off as uncollectible.

VII. Nonpayment Penalties

Scholarship recipients who fail to meet their repayment obligations may have added to their total obligation any costs for collection of the debt.

RULE 9 - PROGRAM DEFINITIONS

The following definitions are used in the Minority Masters Fellows Program:

Academic Year	A measure of the academic work to be accomplished by the recipient. The academic year is defined as two semesters, two trimesters, or three quarters.
Approved Institution	An Arkansas public or independent college or university that is currently accredited by the North Central Association, Commission of Institutions of Higher Education, or has achieved candidacy status. The institution must not discriminate against applicants, or employees on the basis of race, color, religion, sex, age, handicap, or national origin, consistent with the provisions of applicable state and federal laws.
Award Year	The award year begins on July 1 of one calendar year and ends on June 30 of the next calendar year.
Cancellation	ADHE shall cancel a recipient's repayment obligation if it determines: On the basis of a sworn affidavit of a licensed physician, that the recipient is unable to teach on a full-time basis because of an impairment that is expected to continue indefinitely or result in death. ADHE reserves the right to require a second opinion by an ADHE approved physician; or on the basis of a death certificate or other evidence of death, that is conclusive under state law, the recipient is deceased.
Default	Failure to repay the Minority Masters Fellows scholarship in accordance with the terms of the promissory note provided that this failure persists for 180 days for monthly payments.
Deferment	This is a postponement of repayments and the accrual of interest. ADHE shall not consider that the recipient has

	violated the repayment schedule if he or she does not meet the payments during the time he or she is in deferment status.
Due Diligence	This process refers to those steps ADHE takes to collect Minority Masters Fellows Program funds when a recipient enters repayment status. It includes: billing the recipient, sending overdue notices, conducting address searches if the recipient cannot be located, reporting the account to credit bureaus, collection, and litigation. Due diligence also includes keeping the recipient informed of all changes in the Minority Masters Fellows Program that affect his or her rights and responsibilities and responding promptly to the recipient's inquiries.
Full-time Student	A student enrolled for a minimum of 9 semester credit hours or the equivalent.
Grace Period	A nine-month period of time following graduation and before the recipient must either take employment in an Arkansas public school or public institution of higher education or begin repayment of the scholarship.
Permanent Resident Alien	An individual who can provide documentation from the Immigration and Naturalization Service (INS) that he or she is in the U.S. for other than a temporary purpose with the intention of becoming a citizen or permanent resident. Valid documentation is an I-551, I-151, I-181, I-94, or passport stamped with the notation "Processed for I-551, Temporary Evidence of Lawful Admission for Permanent Residence". A completed Form G-641 can also be used to document permanent resident status.
Promissory Note	The promissory note is a legal document obligating the recipient to repay the loan if he or she does not teach for two (2) full years in an approved subject area on a full-time basis in an Arkansas public school or public institution of higher education. The recipient's rights and responsibilities will be stated on the promissory note.
Satisfactory Academic Progress	Satisfactory academic progress is maintained if the recipient has a minimum 3.00 cumulative grade point average on a 4.0 scale.
Skip Tracing	A process for locating a recipient who is in repayment status. ADHE's efforts may include contacting relatives, friends,

references, and other individuals or entities in the recipient's file.

Teach on a Full-time Basis Teach the same number of hours required of teachers who have full-time contracts, as determined by the institution or agency at which an individual is teaching, for a minimum of one academic term, as defined by the institution or agency in which an individual is teaching.

U.S. Citizen or National The term "U.S. citizen" includes persons born or who have become naturalized citizens of the 50 States, the District of Columbia, Puerto Rico, the Virgin Islands, Guam, the Northern Mariana Islands, and Trust Territory - Palau. The term "national" includes citizens of American Samoa or Swain's Island.

Approved: Agenda Item No. 4
October 21, 1994

Approved: Agenda Item No. 5
February 2, 1995

Amended: Agenda Item No. 1 (Added Asian-Americans and Hispanics to qualifying
April 7, 1997 minorities)

Amended: Agenda Item No. 34
July 23, 1999

Amended: Agenda Item No. 24 (Added Native Americans to qualifying minorities)
February 2, 2001

RESIDENCY CLASSIFICATION FOR TUITION PURPOSES BY PUBLIC COLLEGES AND UNIVERSITIES

The purpose of this document is to provide guidance to administrative officials of Arkansas public colleges and universities with respect to the residency classification of college students for tuition purposes. In making decisions about the residency classification or reclassification of students for tuition purposes, the following rules and definitions should be used for guidance:

1. A student should be classified as an instate resident for tuition purposes only if his or her legal residence is located in Arkansas. This means that Arkansas is the legal place of residence of the student for all purposes and that the student demonstrates by good faith acts the intent to make Arkansas his or her permanent home. Legal residence in Arkansas is required for at least six continuous months prior to the classification decision in order to be classified as a resident for tuition purposes. Mere physical presence in Arkansas is not sufficient to establish residency or demonstrate future intent.
2. In those situations where the student's residency status is dependent on the place of residence of the parent(s), the definition in (1) should govern the determination of parental residency. For parents, neither mere physical presence in Arkansas with children nor mere ownership of property in Arkansas is sufficient to establish residency but should be taken into consideration along with other relevant factors.
3. The legal residence of a minor student (as defined in 5 below) is the same as that of (a) the parent(s); or (b) the parent to whom custody has been awarded by judicial decree; or (c) the parent with whom the minor resides if there has been a separation without a judicial decree; or (d) the legal adoptive parent; or (e) the natural guardian with whom the minor resides.
4. Appointment of a guardian by a state other than Arkansas will establish the legal residence of a minor student as that of the out-of-state guardian. Establishment of guardianship or adoption to evade tuition or fees will not be recognized.
5. Act 892 of 1975 states that all persons eighteen (18) years of age and above shall be considered to have reached the age of majority. Until the age of eighteen (18) is reached, they are considered to be minors. "Any law of the state of Arkansas which presently requires a person to be of a minimum age of twenty-one (21) years to enjoy any privilege or right...shall be deemed to require that person to be a minimum age of eight (18) years."
6. Minors who have been emancipated by the laws of their legal state of residence, or who have reached the legal age of majority, have the power to acquire a different legal place of residence, but the previously established legal residence continues in force until a new legal residence continues in force until a new legal residence is clearly established. Marriage constitutes emancipation for all minors.

7. To acquire a legal residence in Arkansas, an individual must have established a legal home of permanent character, resided in Arkansas for six continuous months and have no present intention of changing residence to a location outside Arkansas.
8. Determination of legal residence for tuition purposes shall be based on review by institutional officials of all relevant circumstances which together may reasonably demonstrate legal residence and state of mind regarding residency intent.
9. Students who are otherwise not residents of Arkansas may not establish legal residence in Arkansas by the mere fact of receiving mail at an Arkansas address or postal box.
10. Members of the Armed Forces who are stationed in Arkansas pursuant to military orders, along with their unemancipated dependents, are entitled to classification as in-state residents for tuition purposes.

It is the responsibility of each student, at the time of registration, to seek the proper residency classification for tuition purposes. Any residency classification which is made by the institution may be appealed to the Registrar or other designated officer. This individual shall conduct hearings, receive evidence and take other appropriate steps to render a decision and provide notice of that decision to the student. Each student who raises the question of his or her residency status shall be provided written notice of the appeals procedure.

A student whose geographic origin is outside the state of Arkansas has the burden of establishing proof that he or she should be classified a resident of Arkansas for tuition purposes. Evidence must be provided in writing and verified under oath by the student. Anyone who knowingly gives erroneous information in order to evade payment of out-of-state tuition or fees shall be subject to dismissal by the college or university. Initial classification as an out-of-state student shall not limit the right of any student to be reclassified later as a resident of Arkansas for tuition purposes provided that the student can establish proof of legal residence in Arkansas.

Approved: December 21, 1989

Citation: [6-60-210](#)

RULES

ARKANSAS HEALTH EDUCATION GRANT

The Arkansas Health Education Grant Program (ARHEG), which is funded by the state of Arkansas, provides assistance for Arkansas residents attending certain out-of-state accredited health and medical professional schools for graduate or professional programs that are unavailable in Arkansas. Assistance is currently available for attendance at any accredited school of dentistry, school of optometry, school of veterinary medicine, school of podiatric medicine, school of chiropractic medicine, or school of osteopathic medicine that's located outside the State; and

- offers a full-time course of instruction in at least one eligible profession; and
- grants, after completion of such course of instruction, a degree acceptable to the applicable licensing board as the sole requirement, or as one requirement, for the applicable licensing board's granting of the applicable professional license; and
- is a party to a currently effective written agreement between the institution and the Board of Control for Southern Regional Education (SREB) or the Arkansas Department of Higher Education (ADHE) which sets forth (1) the terms and conditions under which disbursements will be made, (2) the number of eligible students for which disbursements will be made, and (3) the amount of disbursements to be made with respect to each eligible student by the ADHE to the institution.

Act 488 of 2007 (Arkansas Annotated Code 17-90-111) established a loan program for optometry students. This act authorized the Arkansas Department of Higher Education (ADHE) to establish forgivable loans for certain optometry students. Parameters of the forgivable loan program include:

- Only ARHEG recipients attending a school of optometry for whom any part of the out-of-state tuition is paid by the State of Arkansas through the Southern Regional Education Board grant funds
- Applicants must complete the Free Application for Federal Student Aid (FAFSA) prior to applying for the Optometry Loan
- Students must apply every year by the designated deadline date and subsequently sign the Promissory Note
- For every year a student receives the loan, s/he must practice optometry in the State of Arkansas on a full-time basis for a calendar year
- Students who receive the loan and fail to practice optometry in Arkansas must repay the loan at an interest rate of 4% per annum
- The maximum loan amount is \$5,000 per year.

Act 1416 of 2009 authorized the appropriation of \$140,000 to the ADHE to administer the optometry loan program for the 2009-10 academic year.

In compliance with the Administrative Procedures Act of 1979, a public hearing was announced in a newspaper of general circulation to discuss the rules and regulations that will govern the

Arkansas Health Education Grant Program. The hearing will be held on July 31, 2009, in conjunction with a meeting of the Arkansas Higher Education Coordinating Board.

The following resolution is offered for the Board's consideration:

RESOLVED, That the Arkansas Higher Education Coordinating Board adopts the rules and regulations presented in this agenda item for the Arkansas Health Education Grant Program, to be administered jointly by the Arkansas Department of Higher Education and approved out-of-state accredited health and medical professional schools.

FURTHER RESOLVED, That by the adoption of the rules and regulations presented in this agenda item, the Director of the Arkansas Department of Higher Education or her designee is authorized to promulgate these rules and to implement them for the 2009-10 academic year.

FURTHER RESOLVED, That the Director of the Arkansas Department of Higher Education or her designee is authorized to make technical changes and corrections when necessary in the program rules for the Arkansas Health Education Grant Program.

Citation: [6-82-1101-1106](#)

ARKANSAS HEALTH EDUCATION GRANT PROGRAM

RULES AND REGULATIONS (REVISED)

AUTHORITY AND PURPOSE

These rules are promulgated by the Arkansas Department of Higher Education (“ADHE”) under authority of Arkansas Code Annotated Sections 6-4-104—107, 6-81-1101, 6-81-1103 and 17-90-111 for the purpose of administering a grant program for Arkansas students and a forgivable loan program to assist Arkansas dental students attending specified out-of-state health and medical professional schools. This grant program shall be known as the “Arkansas Health Education Grant (ARHEG) Program.”

PART I: SELECTION OF ELIGIBLE GRANT RECIPIENTS FOR GRANTS TO BE DISBURSED

- A) The Department will allocate, based upon funds available, the number of Eligible Grant Recipients to receive financial assistance at each Participating Institution for each Applicable Academic Period.
- B) Each Participating Institution will select Eligible Grant Recipients for each Applicable Academic Period. In the event the number of Eligible Students accepted for enrollment at such Participating Institution exceeds the number of Eligible Grant Recipients for which the Department has allocated funds, such Participating Institution shall have sole discretion in selecting, from all such Eligible Students, the Eligible Students to designate as Eligible Grant Recipients. In so selecting, the Participating Institution shall use the same criteria it uses in determining those students that will be accepted for enrollment at the Participating Institution.
- B) To remain eligible for continuing participation in the program, the Eligible Grant Recipient must be in good academic standing and must make Satisfactory Academic Progress toward timely completion of the Participating Institution’s prescribed curriculum, as defined by the Participating Institution, for the Applicable Academic Period in question. The State shall not pay for repeated work. Payment of Grants for any Eligible Grant Recipient shall terminate the year the recipient would normally graduate if the recipient had not repeated a portion of the course, unless extra funds are available, and the Department approves an extraordinary subsidy.
- D) The Department shall make Grants according to the allocations made by the Department and selections made by the Participating Institutions in accordance with the following:
 - 1) The contract amount of the Grant per Eligible Grant Recipient for SREB Participating Institutions shall be the amount approved for such programs by the Board of Control.

- 2) For Non-SREB Participating Institutions that charge different annual tuition amounts for in-state students and out-of-state students, the contract amount of the Grant per Eligible Grant Recipient will be the difference between the annual resident tuition and the annual nonresident tuition; however, pursuant to Arkansas Code Section 6-81-1101(d), should the differential exceed the contract price approved for similar programs by the Board of Control in accordance with Arkansas' contracts with the Board, the lesser amount will be paid. (Note: Exceptions may be made for inconsequential differentials.)
 - 3) For Non-SREB Participating Institutions which charge the same amount of annual tuition for in-state and out-of-state students, or which charge a minimally different amount of annual tuition for in-state and out-of-state students, and such tuition is extraordinary as determined by the Department of Higher Education, the amount shall be not less than five thousand dollars (\$5,000) per student annually.
- E) The Participating Institution shall apply these sums to the tuition and fees of such students. The Institution agrees that the maximum amount charged each student, before credit for the above sum, shall not exceed the amount of tuition and fees charged other students for whom no such credit is given. The Department shall have no obligation to make any Grants except to the extent funds have been appropriated and funded for the Program.

**PART II: SELECTION OF ELIGIBLE BORROWERS
FOR LOANS; FUNDS TO BE DISBURSED**

- A) The Department will grant Loans, based upon funds available, until the funds are exhausted, to Eligible Borrowers according to information submitted on the Free Application for Federal Student Aid.
- B) (i). The amount of the Loan for recipients attending an approved dental program for the academic year may not exceed the amount of nonresident tuition paid by the Eligible Borrower to the Participating Institution which exceeds the sum of the resident tuition and the Regional Contract Program's fee-for-service for dentistry, as determined by the Board of Control.

(ii.)The amount of the Loan for recipients attending an approved optometry program the academic year may not exceed five thousand dollars (\$5,000) annually.
- C) The Loans shall be made on an annual basis.
- D) No Loans to the Eligible Borrower shall exceed the combined total of four (4) Loans for four (4) academic years.
- E) The Loans shall be in addition to Southern Regional Education grant funds.

- F) The Department shall have no obligation to make any Loans except to the extent funds are available for the Program.

PART III: LOANS FOR ELIGIBLE BORROWERS

- A) No Loan shall be made under the Program except to an Eligible Borrower.
- B) No Loan disbursement shall be made on behalf of an Eligible Borrower for an academic year until the Eligible Borrower has executed a Note.

PART IV: LOAN FORGIVENESS FOR ELIGIBLE BORROWERS

- A) Loans made to an Eligible Borrower shall be partially or completely forgiven, as described in paragraph (B) below, in the event the Eligible Borrower shall have:
 - 1) a) Received a license or other permit within six (6) months following his or her graduation; or
 - b) Received a license or other permit within six (6) months following the end of any applicable period of Deferment; and
 - 2) Commenced, within six (6) months following his or her receipt of a license or other permit the practice of dentistry or optometry within the State; and
 - 3) Completed and submitted to the Department a Notice of Intent to Seek Loan Forgiveness on such form as provided by the Department.
- B) Subject to verification by the Department of an Eligible Borrower's eligibility for forgiveness under paragraph (A) above, the Eligible Borrower's Loan(s) shall be forgiven at a rate of one (1) academic year's Loan for one (1) uninterrupted Year of dental practice in the State of Arkansas.
- C) Any amount of any Loan (including interest accrued thereon) not completely forgiven under the provisions of these rules shall be due and payable by the Eligible Borrower under the terms and conditions of the Note and as described in Part V below.
- D) Each Eligible Borrower seeking forgiveness of a Loan, at the end of his or her first Year of dental or optometry practice in the State, and again at the end of each subsequent Year of practice, shall submit to the Department a completed Loan Forgiveness Voucher provided by the Department. Loans relating to a particular academic year shall be forgiven upon the Department's approval of a Loan Forgiveness Voucher relating to the corresponding Year of practice.

PART V: LOAN REPAYMENT FOR ELIGIBLE BORROWERS

- A) An Eligible Borrower shall become obligated to repay to the Department the full amount of each outstanding Loan, plus interest accrued thereon, according to the terms and conditions of the Note and as described in this paragraph, upon the occurrence of any of the following:
- 1) prior to graduation, the Eligible Borrower discontinues his or her course of study; or
 - 2) the Eligible Borrower becomes a legal resident of another state; or
 - 3) the Eligible Borrower does not obtain the license or other permit to practice in the state of Arkansas six (6) months following his or her graduation or the end of any applicable Deferment period as described in Part VI below; or
 - 4) the Eligible Borrower commences practice outside the State; or
 - 5) the Eligible Borrower does not commence practice of dentistry or optometry in the State within six (6) months following his or her receipt of the license or other permit or
 - 6) the Eligible Borrower fails to complete all requirements necessary to discharge the Loan completely under the terms and conditions of the Note and as described in Part IV above.
- B) The Eligible Borrower shall repay to the Department the outstanding Loan amount, plus interest accrued thereon, within five (5) Years of the date the Eligible Borrower enters repayment status.
- C) Interest, not to exceed four percent (4%) per annum, will begin to accrue on the outstanding Loan amount, on the date of Loan repayment.
- D) All interest will be calculated as a simple, per annum interest charge on the outstanding balance.
- E) Upon commencement of repayment, the Eligible Borrower shall make equal monthly payments sufficient in amount to retire the entire outstanding balance of the Loan, plus interest, within the five (5) Year period allowed for repayment. However, in no case shall the minimum monthly payment amount be less than \$100.00.
- F) There shall be no penalty for prepayment of any amount of outstanding principal plus accrued interest.

PART VI: DEFERMENT OF LOANS FOR ELIGIBLE BORROWERS

- A) Upon the completion and submission to the Department of a Loan Deferment Request, on such form as provided by the Department, and signed by the Eligible Borrower and the

administrator of a Qualified Service, repayment of a Loan shall be deferred for periods the Department deems appropriate.

- B) With sufficient justification, the Department may determine that extraordinary circumstances exist which interfere with the Eligible Borrower's ability to meet Loan repayment, in which case the Department may authorize a period of Loan Deferment.
- C) In no case shall the Loan repayment be deferred longer than five (5) Years.
- D) Upon cessation of a period of Deferment, the Eligible Borrower must either seek forgiveness of the Loan(s) or commence repayment.

PART VII: LOAN CANCELLATION FOR ELIGIBLE BORROWERS

- A) In the event of an Eligible Borrower's death, the Department shall cancel the then outstanding balance of all of his or her Loans, including any accrued interest thereon, without further obligation to the Eligible Borrower's estate.
- B) In the event of an Eligible Borrower's total and permanent disability, the outstanding balance of all of his or her Loans, including any accrued interest thereon, shall be canceled by the Department without any further obligation by the Eligible Borrower upon receipt of a written statement as to the nature and effect of the total and permanent disability. The Department shall grant the Loan Cancellation following verification by the Department with the Eligible Borrower's attending physician(s) of the total and permanent disability. The Department reserves the right to require a second opinion by a Department-approved physician.

PART VIII: DELINQUENCY AND DEFAULT OF LOANS TO ELIGIBLE BORROWERS

- A) An Eligible Borrower's Loan shall be considered to be delinquent at any time when any Loan payment due under the terms and conditions of the Note and these rules becomes more than thirty (30) days past due. Upon a determination by the Department that an Eligible Borrower's Loan has become delinquent, the Department shall engage in reasonable due diligence in the collection of past due amounts, including past due interest.
- B) An Eligible Borrower's Loan shall be considered by the Department to be in default at any time when any Loan payment due under the terms and conditions of the Note and these rules become more than one hundred twenty (120) days past due. Upon a determination by the Department that an Eligible Borrower's Loan has entered default status, the entire outstanding principal amount of such Loan, together with interest accrued thereon, shall immediately become due and payable, and the Department shall engage in reasonable collection techniques for the payment of the amount then outstanding, including all interest due thereon, on the Eligible Borrower's Loan. Such collection methods may include, but shall not necessarily be limited to, correspondence

with the Eligible Borrower, credit bureau reporting of the default, collection agency assistance, Arkansas income tax refund offset, use of skiptracing, and suit for judgment against the Eligible Borrower for the Loan amount then outstanding, including all interest due thereon plus that accruing from the date of judgment against the Eligible Borrower. The Department may also charge to the Eligible Borrower's account all costs of collection, including reasonable attorney's fees.

PART IX: COMBINATION OF LOANS TO ELIGIBLE BORROWERS

- A) Upon the date of an Eligible Borrower's graduation or discontinuance of his or her course of study for more than six (6) months, all Loan amounts then outstanding for Loans received by Participating Institution(s) on behalf of such Eligible Borrower shall be combined into one Loan amount for accounting purposes.
- B) The entire Loan amount as described in paragraph (A) above shall be the amount to be repaid by the Eligible Borrower (after any applicable periods of Deferment) or forgiven under the terms and conditions of the Note and these rules.

PART X: NOTICE OF CHANGE IN CIRCUMSTANCES

- A) Each Eligible Grant Recipient shall notify the Department within thirty (30) days, in writing, of any changes to:
 - 1) Name;
 - 2) Address;
 - 3) Social security number;
 - 4) Enrollment status; or
 - 5) Participating Institution of enrollment.
- B) In addition, each Eligible Borrower shall notify the Department within thirty (30) days, in writing, of any changes in professional practice. Failure to notify the Department of a change in status may affect future eligibility or collection status.
- C) Each Participating Institution shall notify the Department within thirty (30) days, in writing, with respect to an Eligible Grant Recipient attending such Participating Institution, of any changes in enrollment status or failure to make Satisfactory Academic Progress.
- D) The Department will monitor the progress of each Eligible Borrower, by academic year, using the resources of the Regional Contract Program or through direct contact with the

Participating Institution including, but not limited to, changes in enrollment status and academic progress.

PART XI: Withdrawal Policy

The Arkansas Department of Higher Education shall allow a student to withdraw from the Arkansas Health Education Grant Program for no more than one year. The recipient must submit a written petition for withdrawal. The petition shall give the reason for withdrawal and be supported by documentation, if requested. In the absence of extraordinary circumstances, the award will be revoked if the recipient fails to enroll full-time in the participating institution, and the Arkansas Department of Higher Education receives neither written notification of transfer to another eligible institution, nor a petition for withdrawal by the recipient by October 1 for the fall term and February 1 for the winter and/or spring terms, and June 1 for the summer terms. At the discretion of the Department of Higher Education, the award will not be revoked if it is determined by ADHE that extraordinary circumstances prevented the student from notifying ADHE by the required dates.

PART XII: POST-GRADUATION REPORTING REQUIREMENT

The Department is required to compile information, if available, on the location and occupation of each Eligible Grant Recipient who has completed the course of study. Such information is to be reported to the Arkansas Legislative Council. Therefore, each Eligible Grant Recipient who completes a course of study (or following graduation of his or her entering class, whichever shall come first) must report to the Department (Attention: ARHEG Coordinator) by September 15th for four years following graduation, the following information:

- 1) Name (and name at time of enrollment if different);
- 2) Address;
- 3) Social security number;
- 4) Participating Institution of enrollment;
- 5) Year of completion;
- 6) Occupation;
- 7) Employer; and
- 8) Employer's address.

PART XIII: APPEAL

An Eligible Grant Recipient or Eligible Borrower shall have the right to appeal any determination made by the Department under these rules:

- 1) first to the Manager of Financial Aid at the Department;
- 2) second to the Director of the Department;
- 3) third to the Arkansas Higher Education Coordinating Board; and
- 4) fourth to a court of law or equity of appropriate jurisdiction.

PART XIV: DEFINITIONS

As used in these rules, the following terms shall have the meanings set forth below:

"Applicable Academic Period" means the academic term (grading period) during which an Eligible Grant Recipient, as applicable, will pursue a course of instruction in an Eligible Profession at a Participating Institution, and for which a Grant disbursement is made.

"Applicable Licensing Board" means:

- a) with respect to dentistry, the Arkansas State Board of Dental Examiners;
- b) with respect to optometry, the State Board of Optometry;
- c) with respect to osteopathic medicine, the Arkansas State Medical Board;
- d) with respect to veterinary medicine, the Veterinary Medical Examining Board;
- e) with respect to chiropractic medicine, the Arkansas State Board of Chiropractic Examiners; and
- f) with respect to podiatric medicine, the Arkansas State Podiatry Examining Board.

"Applicable Professional License" means, with respect to an Eligible Profession, the license or other permit granted by the Applicable Licensing Board and required by law in order for an individual to practice the Eligible Profession in the State.

"Board of Control" means the Board of Control for Southern Regional Education.

"Cancellation" means the cancellation of a Loan by the Department by reason of the death or total and permanent disability of an Eligible Borrower pursuant to Part VII hereof.

"Deferment" means a period of time for which otherwise required payments on a Loan are deferred, pursuant to Part VI hereof.

"Department" means either or both of the Arkansas Higher Education Coordinating Board and the Arkansas Department of Higher Education.

"Eligible Borrower" is an Eligible Grant Recipient who pays to a dental school at a Participating Institution nonresident tuition that exceeds the sum of the resident tuition and the Regional Contract Program slot fee paid by the State to the Board of Control for the Eligible Grant Recipient's professional studies in dentistry OR an Eligible Grant Recipient who is enrolled in an optometry professional program outside the state and for whom any part of the

out-of-state tuition is paid by the State of Arkansas through the Southern Regional Education Board grant funds.

"Eligible Grant Recipient" means an Eligible Student who has been selected or accepted by a Participating Institution to receive financial assistance through this program and who has been certified by the Department as a Resident.

"Eligible Profession" means dentistry, veterinary medicine, optometry, osteopathic medicine, podiatric medicine or chiropractic medicine.

"Eligible Student" means an individual who:

- a) is a citizen or permanent resident alien of the United States;
- b) is a Resident; and
- c) has been accepted for enrollment for the Applicable Academic Period for a full-time course of instruction in an Eligible Profession at a Participating Institution or is continuing to make Satisfactory Academic Progress, according to the Participating Institution, in a full-time course of instruction in the Eligible Profession at a Participating Institution.

"Grant" means a disbursement made on behalf of an Eligible Grant Recipient for payment of tuition to attend a Participating Institution and which is not subject to repayment by the Eligible Grant Recipient in accordance with Arkansas Code Annotated Sections 6-4-104—107, 6-81-1101, and 6-81-1103 of the General Assembly of the State of Arkansas, and any subsequent legislation,

"Loan" means a disbursement evidenced by a Note and subject to repayment by an Eligible Borrower in accordance with Arkansas Code Annotated Sections 6-4-104—107, 6-81-1101, 6-81-1103 of the General Assembly of the State of Arkansas, and any subsequent legislation.

"Non-SREB Participating Institution" means a Participating Institution that is a party to a currently effective written agreement with the Department.

"Note" means a Promissory Note, which is a legal document obligating the Eligible Grant Recipient to repay a Loan if he or she does not practice dentistry in the State. The Eligible Grant Recipient's rights and responsibilities will be stated on the Promissory Note.

"Participating Institution" means a professional or graduate school that:

- a) is located outside the State but within the United States; and
- b) offers a full-time course of instruction in at least one Eligible Profession; and
- c) is accredited by an accrediting entity acceptable to the Applicable Licensing Board of the profession; and
- d) grants, after completion of such course of instruction, a degree acceptable to the Applicable Licensing Board as the sole requirement, or as one requirement, for the Applicable Licensing Board's granting of the Applicable Professional License; and

- e) is a party to a currently effective written agreement with the Department or the Board of Control, which agreement sets forth the terms and conditions under which, and the number of Eligible Students for which, Grant disbursements will be made, and the amount of the Grant disbursements to be made with respect to each Eligible Student by the Department to the Participating Institution or to the Board of Control for the benefit of a Participating Institution.

"Program" means the Arkansas Health Education Grant Program administered by the Department.

"Qualified Service" means any one of the following:

- a) a branch of the Uniformed Military Service; or
- b) an accredited medical residency program; or
- c) an advanced dental education program that prepares a dental student for specialty practice and satisfies the requirements of the respective specialty board.

"Regional Contract Program" is a program that is available to Eligible Students through the Southern Regional Education Compact and the Board of Control's currently written effective agreements with Participating Institutions on behalf of the State.

"Resident" means an individual who is determined by the Department to be a bona fide resident of the State on the date of his or her application for a Grant and on the date that was six (6) months prior to the date of such application, and at all times between such dates, under the guidelines set forth in Appendix A to these rules. Such determination shall be made by the Department on the basis of information provided by the individual in an affidavit made under oath on a form provided by the Department or through any additional information requested by the Department.

"Satisfactory Academic Progress" means satisfactory academic progress toward timely completion of the Participating Institution's prescribed curriculum, as defined by the Participating Institution, for the Applicable Academic Period in question.

"SREB Participating Institution" means a Participating Institution that is a party to a currently effective written agreement with the Board of Control for Southern Regional Education in accordance with the State of Arkansas' contracts with such Board

"State" means the State of Arkansas.

"Year" means any period of 365 consecutive days.

**APPENDIX A TO
ARKANSAS HEALTH EDUCATION GRANT PROGRAM
RULES AND REGULATIONS**

GUIDELINES FOR DETERMINING ARKANSAS RESIDENCY
FOR PURPOSES OF ELIGIBILITY FOR THE
ARKANSAS HEALTH EDUCATION GRANT PROGRAM
UNDER AUTHORITY OF ARKANSAS CODE ANNOTATED
SECTIONS 6-4-104—107, 6-81-1101, AND 6-81-1103

I. PURPOSE

The purpose of this Appendix is to provide guidance to the Arkansas Department of Higher Education (the “Department”) in determining whether individuals applying to receive financial assistance under the Arkansas Health Education Grant Program (the “Program”) are residents of the State of Arkansas.

Unless otherwise indicated, all capitalized terms used herein shall have the same meanings ascribed thereto in the Rules and Regulations to which this Appendix is attached.

II. RESIDENCY GUIDELINES

- a. A person should be classified as a state resident for Program purposes only if his or her legal residence is located in Arkansas. This means that Arkansas is the legal place of residence of the person for all purposes and that the person demonstrates by good faith acts the intent to make Arkansas his or her permanent home. Legal residence in Arkansas is required for at least six continuous months prior to application in order to be classified as a resident for Program purposes. Mere physical presence in Arkansas is not sufficient to establish residency or demonstrate future intent.
- b. A bona fide residence is a home of apparent true, fixed and permanent nature, a place of actual residing for all purposes of living that may be distinguished from a temporary sojourn in this or another state as a student. The person claiming residence in Arkansas must provide evidence of permanent connection with the State of Arkansas and demonstrate the expectation of returning to this state and remaining a resident of this state.
- c. The legal residence of a person less than 18 years of age and unmarried without dependents, or an unmarried dependent without dependents who has not yet attained the age of 24 is legally that of (a) the parent(s); or (b) the parent to whom custody has been awarded by judicial decree; or (c) the parent with whom the person resides if there has been a separation without a judicial decree; or (d) the legal adoptive parent(s); or (e) the natural or legal guardian with whom the person resides.
- d. The legal residence of a person 18 years of age or older, or under 18 years of age and married or with dependents, or between 18 and 24 years of age and married or with dependents shall be determined on the basis of his or her own residence.

e. To acquire a legal residence in Arkansas, a person must have established a legal home of permanent character, resided in Arkansas for six continuous months and have no present intention of changing residence to a location outside of Arkansas.

f. Persons who are otherwise not residents of Arkansas may not establish legal residence in Arkansas by the mere fact of receiving mail at an Arkansas address or postal box.

g. Members of the armed forces who are stationed in Arkansas pursuant to military orders, along with their unemancipated minors or unmarried dependents without dependents who have not yet attained the age of 24, are entitled to classification as in-state residents for Program purposes.

h. Determination of legal residence for Program purposes shall be based on review by the Department of all relevant circumstances which together may reasonably demonstrate legal residence and state of mind regarding residency intent. In making such a determination, the Department shall utilize the information provided by an individual in an affidavit made under oath on a form provided by the Department or through any additional information requested by the Department.

SCHOLARSHIP STACKING POLICY

A postsecondary institution shall not award state aid in a student aid package in excess of the recognized cost of attendance at the institution where the student enrolls. State aid is defined to include scholarships and grants awarded to a student from public funds, including without limitation the Arkansas Academic Challenge Scholarship under § 6-85-201 et seq., Arkansas Department of Higher Education (ADHE) scholarships and grant programs, state general revenues, tuition, and local tax revenue. All postsecondary institutions shall report to ADHE the total amount of financial aid from all sources for any student who receives an award from an ADHE program. When a student receives a student aid package that includes state aid and the student aid package exceeds the cost of attendance, the postsecondary institution shall repay state aid in the amount exceeding total cost of attendance, starting with state aid received under the Arkansas Academic Challenge Scholarship under §6-85-201 et seq. The ADHE shall credit the excess state aid funds to the appropriate department fund or trust account.

For purposes of this policy, the student aid package includes federal aid, state aid and other aid a student receives for postsecondary education expenses. The definitions for federal aid, state aid and other aid are below.

Federal aid - scholarships or grants awarded to a student as a result of the Free Application for Federal Student Aid, excluding the Pell grant.

Other aid – a scholarship, grant, waiver, or reimbursement for tuition, fees, books, or other cost of attendance, other than federal aid or state aid, provided to a student from a postsecondary institution or a private source.

State aid - scholarships and grants awarded to a student from public funds, including without limitation the Arkansas Academic Challenge Scholarship under § 6-85-201 et seq., Arkansas Department of Higher Education (ADHE) scholarships and grants programs, state general revenues, tuition, and local tax revenue.

The Federal Cost of Attendance (COA) method shall be used for all students receiving state aid, regardless of whether the student is receiving federal financial aid. Costs that would not be included in Federal COA may not be included in the package of any student who receives state aid. Exceptions to the normal COA allowances as set forth in federal regulations may be included in COA calculations. Institutional work study is not included in COA unless it is need based. This policy shall apply to students entering college in the 2010-2011 academic year and subsequent years.

If the student aid package exceeds the COA, the postsecondary institution must reduce the Arkansas Academic Challenge Scholarship first. In cases where the only state aid funds to be reduced are ADHE programs, the school may reduce awards in this order:

1. Academic Challenge Scholarship
2. Any ADHE loan programs

- 3.Higher Education Opportunities Grant (GO! Grant)
- 4.Governor’s Scholars Program
- 5.Other ADHE Programs

On September 30 of each year, all public and private institutions shall report to ADHE the total amount of financial aid from all sources for any student who receives an award from an ADHE program for the previous academic year. The report shall be in an electronic format as defined by ADHE. The Department shall seek advice from institutions in developing the format of the report.

Citation: [6-80-105](#)

**REVISED RULES AND REGULATIONS
ARKANSAS WORKFORCE IMPROVEMENT GRANT**

This agenda item presents revisions to the rules and regulations of the Arkansas Workforce Improvement Grant. The amendments to the rules and regulations of the Workforce Improvement Grant Program includes a definition of mandatory fees, which consist of fees required for academic courses, and to change the institution reporting requirements and funds disbursement procedures. The new procedures would have schools report students each semester and funds would be disbursed after schools report for the term.

Act 1796 of 2003 created the Arkansas Workforce Improvement Grant Program to assist nontraditional college students, who have been deemed the “working poor.” Many potential Arkansas college students make too much money to qualify for federal Pell Grants or other forms of financial aid, but still do not earn enough to afford a college degree program that will provide a path for greater economic opportunities.

Act 1796 set the following parameters for the Arkansas Workforce Improvement Grant Program:

- For persons age 24 or older;
- For Arkansas residents and US citizens;
- Exhibits financial need;
- Created an advisory committee to provide advice to ADHE;
- ADHE is to promulgate rules & regs and present to Executive Council and AHECB;
- ADHE required to file annual report with Legislative Council; and
- Awards are subject to the availability of funds

The ADHE financial aid staff and the financial aid offices at Arkansas colleges and universities jointly manage the administration of the program. ADHE allocates each college and university a prorated share of the available funds based on the institution’s previous year’s enrollment of non-traditional students. The institutions then make awards to their students based on need, prioritizing the neediest students first. The Free Application for Federal Student Aid (FAFSA) is used to determine financial need. Institutions have the flexibility to set their own deadline. The grant is not automatically renewable, students have to meet the financial need guidelines each year, as well as continue to make satisfactory progress toward a postsecondary completion. The program is open to full- and part-time students.

In compliance with the Administrative Procedures Act of 1979, a public hearing was announced in a newspaper of general circulation to discuss the rules and regulations that will govern the Workforce Improvement Grant Program. The hearing will be held in conjunction with this meeting of the Arkansas Higher Education Coordinating Board.

The following resolution is offered for the Board’s consideration:

RESOLVED, That the Arkansas Higher Education Coordinating Board adopts the rules and regulations presented in this agenda item for the Arkansas Workforce Improvement Grant Program, to be administered jointly by the Arkansas Department of Higher Education and approved Arkansas Institutions of Higher Education

FURTHER RESOLVED, That, by the adoption of these rules and regulations presented in this agenda item, the Director of the Arkansas Department of Higher Education or her designee is authorized to promulgate these rules and regulations and to implement them for the 2006-07 academic year.

FURTHER RESOLVED, That the Director of the Arkansas Department of Higher Education or her designee is authorized to make technical changes and corrections when necessary in the program rules for the Arkansas Workforce Improvement Grant Program.

Citation: [6-82-1601-1614](#)

ARKANSAS WORKFORCE IMPROVEMENT
GRANT PROGRAM
RULES AND REGULATIONS

RULE 1 - ORGANIZATION AND STRUCTURE

- I. The Arkansas Department of Higher Education shall administer the Arkansas Workforce Improvement Grant within the policies set by the Arkansas Higher Education Coordinating Board. All formal communications shall be addressed to or signed by the Director of the Arkansas Department of Higher Education or his designee. The Arkansas Workforce Improvement Grant Advisory Council shall provide advice to the Department of Higher Education related to administration of the program.
- II. Workforce Improvement Grant Council
- A. The Arkansas Workforce Improvement Grant Advisory Council shall consist of eight members appointed for staggered three-year terms by the Director of the Arkansas Department of Higher Education. The members shall be appointed in the following numbers: four-year public or private institutions (three representatives); two-year public or private institutions (three representatives); the Executive Director of the Arkansas Association of Two-Year Colleges; and the President of the Arkansas Association of Student Financial Aid Administrators, who will serve a one-year term. The committee members shall initially be appointed for staggered terms so that one member from a four-year institution and one member from a two-year institution shall be replaced each year.
- B. The Workforce Improvement Grant Advisory Council shall advise the Arkansas Department of Higher Education in the determination of guidelines and regulations for the administration of this program.
- C. The elected chairperson shall serve as presiding officer of the Workforce Improvement Grant Advisory Council. The Director of the Arkansas Department of Higher Education shall ensure that staff services for the Council are provided.
- III. The final responsibility for setting selection criteria shall rest with the Director of the Arkansas Department of Higher Education or designees pursuant to the provisions of Act 1796 of 2003, Act 2129 of 2005, Act 21 of 2015, and subsequent legislation.
- IV. When functioning under the acts listed above, the Arkansas Department of Higher Education shall follow the provisions of the Administrative Procedures Act.

RULE 2 - GRANT ELIGIBILITY CRITERIA

I. Eligibility Criteria

To be eligible to receive the Arkansas Workforce Improvement Grant (WIG), a student must meet the following requirements:

- A. The student must be a citizen of the United States or a permanent resident alien.
- B. The student must be a bona fide resident of the State of Arkansas, as defined by the Arkansas Department of Higher Education, six months prior to the date on which the student applies.
- C. The student must be enrolled in a minimum of three (3) credit hours or the equivalent, as of the eleventh day of class, at an approved institution which has been determined eligible to participate in the Workforce Improvement Grant Program.
- D. The student must not have earned a first baccalaureate degree.
- E. All students must meet the satisfactory academic progress standards required to receive other federal financial aid (i.e., Pell Grant, College Work-Study, Stafford Loan, SEOG, etc.) at the institution to be attended.
- F. The student must demonstrate financial need, as determined by the program rules and regulations, by completing the Free Application for Federal Student Aid (FAFSA).
- G. The student must not owe a refund on a Pell Grant, SEOG, or SSIG award or be in default on a National Defense/Direct Student Loan, Perkins Loan, Stafford Student Loan, Supplemental Loan for Students, PLUS Loan, Income Contingent Loan, William D. Ford Federal Direct Loan, or Consolidated Loan programs. The student must not have borrowed, as determined by the institution to be attended, in excess of the annual loan limits under the Federal Family Education Loan Program, William D. Ford Federal Direct Loan Program, Income Contingent Loan, Stafford Student Loan, PLUS Loan, or Supplemental Loan for Students in the same academic year for which the student has applied for assistance under the Workforce Improvement Grant Program, and must not have borrowed in excess of the aggregate maximum loan limits under the above loan programs.
- H. The person is twenty-four (24) years of age or older on or before the first day of the semester or summer session in which the Workforce Improvement Grant has been awarded and has been declared an independent student for federal financial aid purposes.
- I. The person is accepted for admission at an approved institution to pursue a baccalaureate degree, an associate degree, or a credit certificate.

- J. The person graduated from high school or passed the General Educational Development Test, or meets the ability to benefit criteria as defined by federal regulations in existence on January 1, 2003.

RULE 3 - APPLICATION PROCESS

I. Application

Application for the Arkansas Workforce Improvement Grant Program originates through the student's individual initiative. To apply for the Workforce Improvement Grant Program, the student must file the Free Application for Federal Student Aid (FAFSA). Eligible institutions may establish a deadline as needed to administer the program.

II. Minimum Academic Standards

An initial first year student must meet the satisfactory academic progress standards required to receive other Federal financial aid (i.e., Pell Grant, College Work-Study, SEOG, loans, etc.) at the institution to be attended. Continuing students must meet the satisfactory academic progress standards of the institution attended.

III. Submission of Applications

All students who are classified as Arkansas residents and who plan to enroll in an approved institution may apply.

RULE 4 - AWARD PROCESS

- I. Arkansas institutions of higher education will award the Arkansas Workforce Improvement Grant to eligible students based on the criteria below.
 - A. Awards will be made based on the information eligible applicants provide on the Free Application for Federal Student Aid (FAFSA). Awards will be made to eligible applicants who demonstrate the greatest unmet need (excluding student loans); total aid not to exceed the institution's cost of attendance, until funds have been exhausted. Eligible institutions may establish a deadline as needed to administer the program.
 - B. The maximum annual award is tuition and mandatory fees, up to \$2,000 per year. The amount of the Pell Grant award received by the recipient will be taken into account in the award amount. The award formula shall be: $\text{WORKFORCE IMPROVEMENT GRANT Award} = (\text{Max. award amount} - \text{Pell Award})$. The maximum amount of the annual grant for part-time students shall be pro-rated on the basis of the number of credit hours enrolled each term and shall never be more than the cost of tuition and fees. The total award amount to any one student shall never exceed \$8,000 and the student may not be awarded more than

the full-time equivalent of four years.

- C. The Workforce Improvement Grant must be reduced or eliminated to prevent an overaward in accordance with state and federal laws.
- D. Eligible institutions will send a notice to each applicant who is awarded a Workforce Improvement Grant informing them of the award and the conditions of that award.

RULE 5 - GRANT PAYMENT POLICIES

- I. Institutions will be notified by May 15 of their grant allocation for the following academic year.
- II. Students who withdraw from school may owe a refund to the program. It is the institution's responsibility to collect the refund from the student. Institutions shall continue to award students until all funds are spent.
- III. Workforce Improvement Grants are not automatically renewable. Students must apply each year and awards will be made based on the amount of funds available and the need of the eligible applicants. The maximum award amount to any one student shall never exceed \$8,000.
- IV. ADHE will send the required funds to each institution by electronic funds transfer or state warrant. Each institution will disburse these funds in accordance with its disbursement procedures.
- V. Institutions shall not be allowed to use the Workforce Improvement Grant award to reduce any institutional financial aid funds awarded to eligible students.
- VI. Withdrawal Policy

A recipient shall be continuously enrolled unless the Arkansas Department of Higher Education has approved a leave of absence/scholarship hold. The department shall allow a student to withdraw from the Workforce Improvement Grant Program for no more than twenty-four (24) months due to:

- 1. A medical condition of the recipient or a member of the recipient's immediate family that, on the basis of a physician's good-faith judgment, necessitates the student or the student's immediate family member to be hospitalized or receive outpatient or home-based medical care or recuperation until released by the attending physician;
- 2. A personal or family emergency that requires the student to:
 - a. Attend the funeral of an immediate family member; or
 - b. Visit a relative of the student if the relative has a medical condition in which death is possible or imminent;
- 3. Military service under § 6-61-112;
- 4. A commitment for twelve (12) to twenty-four (24) months of:

- a. Service in a national or international humanitarian project sponsored by a nonprofit corporation organized with a charitable or educational purpose;
 - b. The student's commitment shall be expressed in a written agreement with the nonprofit organization including the terms of completion for the student's service on the related project;
 - c. The department shall release a scholarship hold if the department determines that the student did not complete the commitment under the written agreement; or
5. Any other reason approved by the Arkansas Department of Higher Education

The recipient must submit a written petition for withdrawal. The petition shall give the reason for withdrawal and be supported by documentation. In the absence of extraordinary circumstances, the award will be revoked if the recipient fails to enroll full-time in an eligible institution in Arkansas, and the Arkansas Department of Higher Education receives neither notification of transfer of the scholarship to another eligible institution, nor a petition for withdrawal by the recipient by October 1 for the fall term and February 1 for the winter and/or spring terms. At the discretion of the Department of Higher Education, the award will not be revoked if it is determined by ADHE that extraordinary circumstances prevented the student from notifying ADHE by the required dates.

RULE 6 - INSTITUTIONAL RESPONSIBILITIES

I. Administrative Agreement

The chief executive officer of the eligible institution is responsible for appointing one representative from the financial aid office to act as administrator of the Workforce Improvement Grant Program and to receive all communications, forms, etc. This representative is responsible for verification, data and compliance with all program rules and regulations. The institution must comply with all rules and regulations in order to maintain continued eligibility status.

II. Disbursement Records

The institution shall maintain information on the student indicating the awarding and disbursement of these funds.

III. Institutional Verification

The institution shall provide certification of enrollment status and award amount, as of the completion of the eleventh day of classes, by means of an electronic verification roster. The roster will report each student awarded the grant, the amount of the award and the student's enrollment status. The specific format and required data elements will be determined by ADHE in conjunction with the institutions. The rosters shall be returned to the Arkansas Department of Higher Education by November 1 for the fall term and by April 1 for the spring term.

IV. Deadlines for Disbursement of Funds

The deadline for disbursement of funds is no later than 10 days after written receipt of funds. Any outstanding funds not disbursed by these dates must be returned to the Arkansas Department of Higher Education.

V. Due Diligence

The institution will exercise due diligence in providing complete, accurate, and timely information as requested by the Arkansas Department of Higher Education on Workforce Improvement Grant recipients. In addition, the institution will exercise due diligence in complying with all the rules and regulations of the Workforce Improvement Grant Program.

The Arkansas Department of Higher Education will periodically review the institution records concerning the Workforce Improvement Grant program to exercise its due diligence requirements as the steward of state and federal funds.

RULE 7 - PROGRAM DEFINITIONS

Unless defined below, all terms applicable to the Workforce Improvement Grant Program are as defined for federal student financial aid programs.

Eligible Applicant An Arkansas resident over the age of 24 who filed the Free Application for Federal Student Aid (FAFSA) by the deadline established by the eligible institution of the current academic year, has unmet need, is enrolled in a minimum of three (3) semester credit hours at an eligible institution, and is declared an independent student for federal financial aid.

ELIGIBLE INSTITUTION a public or private not-for-profit postsecondary institution with primary headquarters located in Arkansas and that is eligible to receive Title IV Federal student aid funds

OR

only under conditions set forth in A.C.A. 6-82-1007, a public or private nursing school located in Arkansas that is approved by the State Board of Nursing and which does not

discriminate against employees on the basis of race, color, religion, sex, age, handicap or national origin, consistent with the provisions of applicable state and federal law.

Mandatory Fees Those fees charged to all students and those fees associated with academic courses.

Overaward A situation that exists when the student's total financial aid package exceeds the student's need.

Unmet Need The Cost of Attendance as calculated using federal regulations and guidelines less the Expected Family Contribution as calculated using Federal Methodology less all other grants, scholarships and financial assistance (not including loans) awarded.

Approved: Agenda Item No. 7
August 1, 2003

Agenda Item No. 18
July 29, 2005

Agenda Item No. 21
August 4, 2006

**APPROVAL OF AMENDED RULES AND REGULATIONS
STATE TEACHER ASSISTANCE RESOURCE (STAR) PROGRAM**

This agenda item presents amended rules and regulations for the Arkansas State Teacher Assistance Resource (STAR) Program, which is necessary to comply with Act 48 of the Second Extraordinary Session of 2003. The Financial Aid Division of ADHE will administer this program.

The STAR Program was created by the 2003 Arkansas General Assembly as a loan forgiveness program to serve as an incentive to induce Arkansans to enter the field of teaching, particularly in high-need areas. This program began in the Fall semester of 2004.

The rules and regulations for the STAR Program currently have the following provisions:

- Require applicants be admitted to an approved program in an approved Arkansas institution resulting in a teacher licensure and:
 1. Enrolled full-time; and
 2. entering his or her sophomore or subsequent year
- Provides \$3000 per year to recipients going into a subject shortage area or \$3000 per year for those agreeing to teach in a geographic shortage area or academically distressed school district. The program will pay up to \$6000 per year for students who agree to do both.
- Awards will be prioritized based on subject shortage area, then geographic shortage area and academically distressed areas, with applicants ranked according to major and cumulative college GPA.
- Sets aside money for repayment of loans for recent teacher Ed graduates in a subject area beginning with those graduating after April 30, 2004.
- To have loan forgiven, recipients shall teach in their subject or shortage area in an Arkansas public school one year for every year loan funds were received.

The amendments to the program will have the following effects on the program:

- Allows students that are entering his or her sophomore or subsequent year that is actively pursuing or admitted to a teacher education program to be eligible for the program.
- Defines what is considered as actively pursuing a teacher education program.
- Clarifies eligibility requirements to meet legislative intent.

In compliance with the Administrative Procedures Act of 1979, a public hearing was announced in a newspaper of general circulation to discuss the amended rules and regulations that will govern the Arkansas State Teacher Assistance Resource (STAR) Program. The hearing will be held on October 27, 2006, in conjunction with a meeting of the Arkansas Higher Education Coordinating Board.

The following resolution is offered for the Board's consideration:

RESOLVED, That the Arkansas Higher Education Coordinating Board adopts the amended rules and regulations presented in this agenda item for the Arkansas State Teacher Assistance Resource (STAR) Program administered by the Arkansas Department of Higher Education.

FURTHER RESOLVED, That, by the adoption of these amended rules and regulations presented in this agenda item, the Director of the Arkansas Department of Higher Education or her designee is authorized to promulgate these rules and regulations and to implement them for the 2006-07 academic years.

FURTHER RESOLVED, That the Director of the Arkansas Department of Higher Education or her designee is authorized to make technical changes and corrections when necessary in the program rules for the Arkansas State Teacher Assistance Resource (STAR) Program.

Citation: [6-81-1501-1507](#)

**STATE TEACHER ASSISTANCE RESOURCE (STAR)
PROGRAM
RULES AND REGULATIONS**

RULE 1 – ORGANIZATION AND STRUCTURE

- I. The Arkansas Department of Higher Education (ADHE) shall administer the State Teacher Assistance Resource (STAR) Program, hereafter known as STAR, within the policies set by the Arkansas Higher Education Coordinating Board. All formal communications shall be addressed to or signed by the Director of the Arkansas Department of Higher Education or his/her designee.
- II. State Teacher Assistance Resource (STAR) Program Commission
- A. The 11-member STAR Program Commission shall consist of the following:
1. The Lieutenant Governor, or his or her designee;
 2. The chairperson of the State Board of Education, or his or her designee;
 3. Three (3) persons appointed by the Governor;
 4. Three (3) persons appointed by the President Pro Tempore of the Senate; and
 5. Three (3) persons appointed by the Speaker of the House of Representatives.
- B. The appointed commission members shall be:
1. Individuals who have demonstrated a commitment to education; and
 2. Residents of the State of Arkansas at the time of appointment and throughout his or her term.
- C. In 2003, three (3) members shall be appointed by the Speaker of the House of Representatives as follows:
1. One (1) for a term to expire June 30, 2005;
 2. One (1) for a term to expire June 30, 2006; and
 3. One (1) for a term to expire June 30, 2007.
- D. In 2003, three (3) members shall be appointed by the President Pro Tempore of the Senate as follows:
1. One (1) for a term to expire June 30, 2005;
 2. One (1) for a term to expire June 30, 2006; and
 3. One (1) for a term to expire June 30, 2007.
- E. In 2003, three (3) members shall be appointed by the Governor as follows:

1. One (1) for a term to expire June 30, 2005;
2. One (1) for a term to expire June 30, 2006; and
3. One (1) for a term to expire June 30, 2007.

- F. Subsequent appointments are for a term of four (4) years. If a vacancy occurs in an appointed position, for any reason, the vacancy shall be filled by appointment by the official that made the appointment. The new appointee shall serve for the remainder of the unexpired term.
- G. The Lieutenant Governor or his or her designee shall serve as the chairperson.
- H. The commission shall meet at times and places the chairperson deems necessary, but no meetings shall be held outside of the State of Arkansas. A majority of the members of the commission shall constitute a quorum for the purpose of transacting business. All actions of the commission shall be by a majority vote of the full membership of the commission. The commission shall promote the STAR Program, encourage participation by high school students, and select the recipients for the STAR forgivable loans.

III. The Arkansas Department of Higher Education shall provide staff and office space to the commission.

IV. When functioning under Act 1804 of 2003, and any subsequent legislation, ADHE shall follow provisions of the Administrative Procedures Act.

RULE 2 - LOAN ELIGIBILITY CRITERIA

- I. Eligibility Criteria
- A. Applicants must be bona fide Arkansas residents, as defined by the Arkansas Department of Higher Education, for at least six months prior to the application deadline.
- B. Applicants must be a citizen of the United States or a permanent resident alien.
- C. Applicants must be actively pursuing or admitted to an approved program in an approved Arkansas institution resulting in teacher licensure and:
1. enrolled full-time; and
 2. entering his or her sophomore or subsequent year that is
 - a. enrolled in an Associates of Art in Teaching (AAT) Program; or
 - b. has successfully passed the Praxis I Examination and declared a major in a teacher education program
- D. Applicants must have a minimum 2.75 cumulative grade point average on a 4.0 scale.

- E. Any recipient of an Emergency Secondary Education Loan (ESEL) may qualify for a forgivable loan under State Teacher Assistance Resource Program, and shall continue to fulfill any existing obligation under the terms of any loans received under the ESEL Program.

II. Continued Eligibility

The Arkansas Department of Higher Education will renew awards for a subsequent academic year to recipients who meet the criteria set forth in Rule 2, Paragraphs I, A-E; and who have completed at least 24 semester credit hours per academic year. Students enrolled in a graduate program must complete a minimum of 18 credit hours per academic year.

RULE 3 – SELECTION PROCESS

I. Applications

A. Solicitation of Applicants

- 1. Program information and applications are mailed to the following:
 - a. Colleges/Schools/Departments of Education
Deans/Chairpersons of the Colleges/Schools/Departments of Education
 - b. Financial Aid Directors/Officers
 - c. Teacher Certifying Officials
 - d. Other campus personnel, such as advisors, etc. who express an interest in disseminating applications to prospective students.
 - f. Applications are also available upon request from the Arkansas Department of Higher Education.
- 2. The Arkansas Department of Higher Education staff will disseminate program information through workshops, meetings, press releases, the Departmental newsletter, and other means deemed appropriate.

- B. The application deadline shall be stated on the application form each year. The ADHE shall have the authority to extend the deadline as needed to ensure a quality applicant pool so long as sufficient public notice is provided.

- C. Upon receipt by ADHE, applications are reviewed to ensure that all pertinent data is included. A letter is mailed to each applicant confirming the receipt and completeness of the application. For those whose application is either incomplete or ineligible, a notice will be sent identifying the reason for incompleteness or ineligibility. The applicant will then have the opportunity to provide the missing information or correct any inaccurate information. Before an applicant can be considered for an award, the corrected/missing information must be received by the ADHE by the deadline indicated in the Incomplete/Ineligible Notice.

II. Ranking of Applicants

Applications are ranked according to a combination of components including, but not limited to:

- A. Cumulative grade point average,
- B. Major grade point average,
- C. Subject area of teacher licensure being sought;
- D. Geographical area of the state the applicant plans to teach; and
- E. The applicant is a prior recipient. If a prior recipient remains qualified, he/she will be given priority for any future awards.
- F. Graduates of AAT programs who pass the Praxis I, or students in a two-year teacher education program; or
- G. Students who are enrolled in a Master of Arts in Teaching Program.

III. Selection and Notification of Loan Recipients

- A. The STAR Program Commission shall review ranked applicants and select recipients for the STAR Program forgivable loans.
- B. Selected forgivable loan recipients will be mailed award notices stating their eligibility for the program and the conditions for continued eligibility. This award, when combined with the recipient's other sources of financial aid, may not exceed the total cost of attendance.
- C. Prior to the disbursement of funds, loan recipients will receive a promissory note for the purpose of entering into a loan agreement with ADHE. The terms of the loan agreement will include the general purpose, repayment and deferment procedures, interest calculations, and a schedule of advances. The promissory note shall be signed by the loan recipient and by a co-maker of eligible age.

Modifications to any award amounts will be confirmed through the issuance of a new promissory note.

IV. Disbursement of Forgivable Loan

The forgivable loan will be disbursed equally for the Fall and Spring terms. Funds will be sent to the institution indicated by the student. After verification of full-time enrollment for the loan recipient, funds will be disbursed in accordance with the institution's disbursement policy.

RULE 4 - LIMITATIONS OF LOAN AWARDS

- I. The State Teacher Assistance Resource (STAR) Program shall be used to provide:
- A. A two-year forgivable loan if the recipient is in a four-year teacher education program, or a three-year forgivable loan if the recipient is in a five-year teacher education program, in the amount of three thousand dollars (\$3,000) per year for a junior or senior admitted to a teacher education program who commits to teach in a public school located in a geographical area of the state designated as having a critical shortage of teachers OR in a subject matter area designated as having a critical shortage of teachers.
 - B. A two-year forgivable loan if the recipient is in a four-year teacher education program, or a three-year forgivable loan if the recipient is in a five-year teacher education program, in the amount of six thousand dollars (\$6,000) per year for a junior or senior admitted to a teacher education program that commits to teach in a public school located in a geographical area of the state designated as having a critical shortage of teachers AND in a subject matter area designated as having a critical shortage of teachers.
 - C. A loan repayment for federal student loans in the amount of three thousand dollars (\$3,000) per year for each year a certified teacher, who graduated from a teacher education program after April 2004, teaches in a public school located in a geographical area of the state designated as having a critical shortage of teachers or in a subject matter area designated as having a critical shortage of teachers. Total term of federal student loan repayment shall not exceed three years.
 - D. A loan repayment for federal student loans in the amount of six thousand dollars (\$6,000) per year for each year a certified teacher, who graduated from a teacher

education program after April 2004, teaches in a public school located in a geographical area of the state designated as having a critical shortage of teachers AND in a subject matter designated as having a critical shortage of teachers. Total term of federal student loan repayment shall not exceed three years.

- E. A student may receive the STAR and Academic Challenge or Governor's Distinguished Scholarships, to the extent the receipt of both awards would not violate the provisions of § 6-80-105.
- F. No student may participate in more than one (1) forgivable loan program supported with state money.

RULE 5 - REPAYMENT OF LOAN

I. Terms of Repayment

- A. The ADHE shall forgive one (1) year of the loan for each consecutive year the recipient teaches full-time in a shortage area in accordance with the terms of the recipient's initial commitment commencing no later than nine (9) months from the date of graduation.
- B. The forgivable loan may be terminated if the recipient withdraws from school or does not meet the standards set by the ADHE.
- C. Verification of the loan recipient's employment will be conducted once a year, in June, through the school superintendent's office in the recipient's employment district or through records on file with the Arkansas Department of Education.
- D. Loan recipients who do not teach full-time in a public school located in geographical area of the state designated as having a critical shortage of teachers or in a subject matter designated as having a critical shortage of teachers shall begin repayment in nine (9) months of completion of the teacher education program. The loan(s) shall be repaid within a maximum of five (5) years, plus accrued interest according to an interest and repayment schedule.

II. Interest on Loan

- A. Interest will begin accruing on September 1 after completion of the program, or immediately after termination of the forgivable loan, whichever is earlier.
- B. Interest will not accrue and installments need not be paid when an official deferment has been approved by the Arkansas Department of Higher Education. Any recipient who wishes a deferment must submit an application for deferment to ADHE for approval.

III. Deferment of Loan

- A. At the discretion of ADHE scheduled loan repayments may be deferred if it is determined by ADHE that extraordinary circumstances prevent the recipient from making such repayments. Deferments may be granted for the following conditions:
1. The recipient is engaged in a full-time graduate or doctoral program after completion of a four-year or five-year teacher education program. This must be verified by the Registrar's Office.
 2. The recipient is seeking and unable to find employment as a teacher in an approved shortage field for a single period not to exceed twelve (12) months. The loan recipient must submit a list of schools contacted for employment. ADHE will verify this information with the superintendent's office in that school district.
 3. The recipient is temporarily totally disabled, for a period not to exceed three years, as established by sworn affidavit from a licensed physician. ADHE reserves the right to require a second opinion by an ADHE approved physician.
 4. The recipient is unable to secure employment for a period not to exceed twelve (12) months by reason of the care of a spouse who is disabled, as established by the signature of a licensed physician. ADHE reserves the right to require a second opinion by an ADHE approved physician.
 5. The recipient is engaged in active duty as a member of a uniformed service. The recipient must provide their Uniformed Service Serial Number, Branch of Service and a copy of their military orders.
 6. Other extraordinary circumstances that would prevent the recipient from repaying the debt within the contractual obligations of the note may be considered.
- B. To qualify for a deferment, a recipient must notify ADHE of their claim for the deferment and provide supporting documentation on a Request for Deferment form that will be supplied by ADHE upon request. The Request for Deferment form must be completed and returned to ADHE by the recipient. The recipient will be notified within ten (10) days of approval or disapproval of any application for a deferment.

IV. Cancellation of Loan

ADHE will cancel a recipient's repayment obligations if it determines:

- A. On the basis of a sworn affidavit of a licensed physician, that the recipient is unable to teach on a full-time basis because of an impairment that is expected to continue indefinitely or result in death. ADHE reserves the right to require a second opinion by an ADHE approved physician; or
- B. On the basis of a death certificate or other evidence of death, that is conclusive under state law, the recipient has died.

V. Prepayment of Loan

There shall be no penalty for prepayment or repayment of all or any portion of the principal and all interest accrued thereon.

VI. Grace Period

There will exist a nine-month grace period following completion of the teacher education program graduation before the recipient must begin teaching in a public school in the state in accordance with the student's initial commitment or shall begin repayment of the loan in accordance with the terms of the note executed.

VII. Failure to Repay

Loan recipients required to repay their loan(s) who fail to meet their repayment obligations may have added to their total obligation any costs for collection of the debt and shall have their teaching license in Arkansas revoked by the State Board of Education.

RULE 6 - INSTITUTIONAL RESPONSIBILITIES

I. College/University Responsibilities

A. Administrative Agreement

The chief executive officer of the eligible institution is responsible for appointing one representative from the financial aid office to act as administrator of the State Teacher Assistance Resource Program and to receive all communications, forms, etc. This representative is responsible for program disbursement, completing all forms, verification data, and complying with all program rules and regulations. The institution must comply with these responsibilities in order to maintain continued eligibility status.

B. Disbursement Records

The institution shall maintain information on the student indicating disbursement of these funds.

C. Institutional Verification

The institution shall provide certification to ADHE each semester after registration, giving the names of the program loan recipients who are officially enrolled as full-time students. This information is reported on a verification roster. The certifying official is responsible for completing the verification roster two times a year. The verification roster will be mailed to the financial aid director at the time of registration for each term. The signed STAR verification roster should be returned to ADHE by November 1 for the Fall term and May 1 for the Spring term. The verification roster is an alphabetical listing by institution of all persons receiving STAR loans for a given academic semester. Students who are not enrolled full-time in the current term shall not receive loan benefits in that term.

D. Deadlines for Check Disbursement of Funds

The deadline for disbursement of funds is no later than 10 days after written receipt of funds. Any outstanding warrants or electronic funds transfers not disbursed must be returned to the Arkansas Department of Higher Education.

E. Refund Policy

It is the institution's responsibility to notify ADHE of the names of any persons owing a refund, the date of the withdrawal, and the refund amount. This information should be placed on the institution's verification roster before returning it to ADHE.

F. Due Diligence

The institution will exercise due diligence in providing complete, accurate, and timely information as requested by ADHE on any current or former loan recipient. In addition, the institution will exercise due diligence in complying with all the rules and regulations of the State Teacher Assistance Resource Program. The Arkansas Department of Higher Education will periodically review the institution's records concerning this program in an effort to exercise its due diligence requirements as a steward of state funds.

RULE 7 - LOAN RECIPIENT'S RESPONSIBILITY

I. Recipient's Responsibility

It is the recipient's responsibility to notify the Arkansas Department of Higher Education of any change in status within 21 days. This will include:

Change in name;

Change in residence;

Change in institution;

Change in full-time status;

Change in course of study; and/or

Change in employment. Failure to notify the Arkansas Department of Higher Education of a change in status will affect future eligibility or collection status.

RULE 8 - COLLECTION OF LOAN

I. Collection of Loan

Accounts will be retained by ADHE in the Financial Aid Division until the individual is no longer eligible for forgiveness or deferment. The account will be turned over to a vendor for repayment. The student will be notified by mail that their account is being placed with a vendor for collections and they will be sent a loan amortization schedule along with the letter. The account will remain with the vendor until repaid or 120 days past due. Loan recipients who are determined by ADHE to be 120 days delinquent will be mailed their first letter of notification ten (10) days after the installment payment is due. The co-signer will be notified at the same time. If payment is not forthcoming within 60 days from the original payment due date, a second letter of notification will be sent to the loan recipient and the co-signer declaring their account is delinquent and requesting that the account be immediately brought up to date. If the loan recipient has not responded within 90 days from the original payment due date, the third and final letter of notification will be sent to the recipient and co-signer informing them that the account will officially be in default if outstanding payments are not made within 30 days.

II. Skip Tracing Mechanisms

ADHE will use these steps to locate recipients and/or co-signers if communications are returned as undelivered:

- A. Contact the Motor Vehicle Division of the Arkansas Department of Finance and Administration;
- B. Contact references listed on the recipient's application;
- C. Utilize telephone directory or check with directory assistance in the area of the recipient and/or co-signer's last known address;

- D. Contact institutional offices (alumni office, admissions office, registrar's office, fraternity or sorority, and the department that the recipient majored in) at the campus where the recipient last attended;
- E. Contact creditors, such as credit card companies, credit bureaus, or GSL lender;
- F. Contact recipient's field of study--professional organization, union, or licensing board;
- G. Contact post office;
- H. Contact utility companies; and,
- I. Contact Chamber of Commerce.

III. Credit Reporting Agencies

Defaulted recipients and/or co-signers will be reported to the following Credit Reporting Agencies:

- A. CSC Credit Reporting Services, Inc.
- B. T R W Credit Data
- C. Trans Union Credit Reporting

Forms for reporting defaulted loan recipients and/or co-signers are located in the collections file. ADHE will also respond promptly to any inquiries it receives from credit reporting agencies concerning delinquent or defaulted loan recipients and/or co-signers.

IV. State Income Tax Set Off

By the authority of Act 345 of 1993, the Department of Higher Education has been included as a claimant agency for the setoff of debts against state tax refunds.

V. Litigation

No sooner than 30 days after sending the third letter of notification, ADHE shall institute a civil suit against the recipient and co-signer for repayment of the loan. Small Claims Courts will be used to satisfy debts of accounts up to \$3,000.00. If over \$3,000.01, ADHE must use Circuit Court. If the account is \$3,000.01 or above, ADHE may choose to use Small Claims Courts and waive the difference because of the expense involved in going to Circuit Court. If ADHE chooses to waive the difference, it cannot later try to collect the difference. Forms to take the recipient and/or co-signer to Small Claims Courts are requested from the recipient's and/or co-signer's county of residence.

VI. Write-Offs

State Teacher Assistance Resource loans may be written off as uncollectible if ADHE shows due diligence to satisfy the collection of the debt, and documents in the recipient's file that:

- A. The cost of litigation would exceed the likely recovery if litigation were commenced; or
- B. The recipient and/or co-signer do not have the means to satisfy a judgment on the debt, or a substantial portion thereof.

Proof of due diligence collection activities must be submitted to the Administrator of the Department of Finance and Administration and approval from the Administrator must be received before STAR accounts may be written off.

VII. Nonpayment Penalties

- A. Loan recipients who fail to meet their repayment obligations may have added to their total obligation any costs for collection of the debt.
- B. Loan recipients who fail to meet their repayment obligations shall have their teaching license in Arkansas revoked by the State Board of Education.

RULE 9 - PROGRAM DEFINITIONS

The following definitions are used in the State Teacher Assistance Resource Program:

Academic Year	A measure of the academic work to be accomplished by the recipient. The academic year is defined as Fall and Spring semesters.
“Actively pursuing” a teacher education program	A student must be one of the following 1) enrolled in an Associates of Art in Teaching Program; or 2) has successfully passed the Praxis I examination and declared a major in a teacher education program to be considered as actively pursuing a teacher education program.
Approved Institution	An Arkansas postsecondary public or private college or university school that is currently accredited by a nationally

recognized accrediting agency or association that has a teacher licensure program where those courses are directly creditable toward teacher licensure in a baccalaureate institution. The institution must not discriminate against applicants, or employees on the basis of race, color, religion, sex, age, handicap, or national origin, consistent with the provisions of applicable state and federal laws.

Award Year The award year begins on July 1 of one calendar year, and extends to June 30 of the next calendar year.

Cancellation ADHE shall cancel a recipient's repayment obligation if it determines: on the basis of a sworn affidavit of a licensed physician, that the recipient is unable to teach on a full-time basis because of an impairment that is expected to continue indefinitely or result in death. ADHE reserves the right to require a second opinion by an ADHE approved physician; or on the basis of a death certificate or other evidence of death, that is conclusive under State law, that the scholar has died.

Cost of Attendance The student's cost of attendance as defined by statute. It includes tuition and fees, books and supplies, room and board and other student's living expenses while attending school.

Default Failure to repay the STAR in accordance with the terms of the Promissory Note provided that this failure persists for 180 days for monthly payments.

Deferment This is a postponement of repayments and interest does not accrue while in this status. ADHE shall not consider that the recipient has violated the repayment schedule if he or she does not meet the payments during the time he or she is in deferment status.

Due Diligence This process refers to those steps ADHE takes to collect STAR funds when a recipient enters repayment status. It includes: billing the scholar, sending overdue notices, conducting address searches if the recipient cannot be located, reporting the

account to credit bureaus, collection, and litigation. Due diligence also includes keeping the recipient informed of all changes in the STAR Program that affect his or her rights and responsibilities and responding promptly to the recipient's inquiries.

Five-year Teacher Education Program A program within a regionally accredited institution of higher education in Arkansas that will lead to obtaining a teacher certification and designated for completion in five (5) years with an award of a master's degree in education.

Four-year Teacher Education Program A program within a regionally accredited institution of higher education in Arkansas that will lead to obtaining a teacher certification and designated for completion in four (4) years with an award of a baccalaureate degree in education.

Full-time Student A student enrolled in an approved Arkansas institution who is enrolled for a minimum of 12 semester credit hours in each semester. Students must complete at least 24 semester credit hours per academic year to remain eligible for the STAR Program. Students enrolled in a graduate program must enroll in a minimum of 9 credit hours each term.

Geographical Areas of the State Designated as Having Critical Shortages of Teachers Any Arkansas school districts designated by the Arkansas Department of Education as having critical teacher shortages.

Grace Period A nine-month period of time following the graduation of a recipient before the recipient must either take employment in a public school located in a geographical area of the state designated as having a critical shortage of teachers and/or in a subject matter designated as having a critical shortage of teachers or begin repayment of the loan.

Master of Arts in Teaching A program within a regionally accredited institution of higher education in Arkansas that will allow graduate students to teach in a middle or secondary school while obtaining licensure. The Master

of Arts in Teaching Program shall also be defined to include persons who are pursuing licensure in Arkansas through a program of nontraditional licensure.

Permanent Resident Alien

An individual who can provide documentation from the Immigration and Naturalization Service (INS) that he or she is in the U.S. for other than a temporary purpose with the intention of becoming a citizen or permanent resident. Valid documentation is an I-551, I-151, I-181, I-94, or passport stamped with the notation "Processed for I-551, Temporary Evidence of Lawful Admission for Permanent Residence". A completed Form G-641 can also be used to document permanent resident status.

Promissory Note

The Promissory Note is a legal document obligating the recipient to repay the loan if he or she does not teach in a public school located in a geographical area of the state designated as having a critical shortage of teachers and/or in a subject matter designated as having a critical shortage of teachers one year for each year the student receives the STAR. The recipient's rights and responsibilities will be stated on the promissory note.

Satisfactory Academic Progress

To be maintaining satisfactory academic progress the recipient must maintain a minimum 2.75 cumulative grade point average on a 4.0 scale. Students must complete at least 24 semester credit hours per academic year to remain eligible for the

STAR Program. Students enrolled in a graduate program must enroll in a minimum of 9 credit hours each term.

Skip Tracing

A process for locating a recipient who is in repayment status. ADHE's efforts may include contacting relatives, friends, references, and other individuals or entities in the recipient's file.

Subject Matter Designated as Critical Needs in the State of Arkansas

Annually the Arkansas Department of Education certifies subject matter areas based upon the results of surveys obtained from school districts in the state of Arkansas.

This information is submitted to the U. S. Department of Education; hence, subject

shortage areas are certified for the state of Arkansas for purposes of forgiveness of student loans, etc. The STAR Commission will accept these subject matter areas for the STAR Program.

Teach on a Full-time Basis

Teach the same number of hours required of teachers who have full-time contracts, as determined by the institution or agency in which an individual is teaching, for a minimum of one academic term, as defined by the institution or agency in which an individual is teaching.

Two-Year Teacher Education Program

A program within a regionally accredited institution of higher education in Arkansas that will introduce students to the profession of teaching.

U.S. Citizen or National

The term "U.S. citizen" includes persons born or who have become naturalized citizens of the 50 States, the District of Columbia, Puerto Rico, the Virgin Islands, Guam, the Northern Mariana Islands, and Trust Territory- Palau. The term "national" includes citizens of American Samoa or Swain's Island.

Approved:

Agenda Item No. 3
October 24, 2003

Agenda Item No. 25

April 30, 2004

Agenda Item No. 14
October 27, 2006

**ARKANSAS GEOGRAPHICAL CRITICAL NEEDS MINORITY TEACHER
SCHOLARSHIP PROGRAM**

RULES AND REGULATIONS

RULE 1 - ORGANIZATION & STRUCTURE

- I. The University of Arkansas at Pine Bluff (UAPB) shall administer the Arkansas Geographical Critical Needs Minority Teacher Scholarship Program. The purpose of the Arkansas Geographical Critical Needs Minority Teacher Scholarship Program is to attract qualified minority teachers to the Delta and those geographical areas of this state where there exists a critical shortage of teachers by awarding full scholarships to minorities declaring an intention to serve in the teaching field who actually render service to this state while possessing an appropriate teaching license.
- II. All formal communications shall be addressed to or signed by the Chancellor of the University of Arkansas at Pine Bluff or his/her designee.
- III. The final responsibility for selecting scholarship recipients shall rest with the Chancellor of the University of Arkansas at Pine Bluff.

RULE 2 - SCHOLARSHIP ELIGIBILITY CRITERIA

- I. Applicants must:
 - A. Be African-American, Hispanic-American, Asian-American or Native American, which group includes all persons having origins in any of the original peoples of North America and who maintain cultural identification through tribal affiliation or community recognition.
 - B. Be enrolled in or accepted for enrollment at a baccalaureate degree-granting institution of higher education whose teacher education program is approved by the State Board of Education or at an accredited state-supported community college in the State of Arkansas.
 - C. Be either full-time or part-time.
 - D. Agree, in writing, of an intention to teach in the Delta or a geographical area of the state in which there exists a critical shortage of teachers, as designated by the State Board of Education.
 - E. Have successfully completed the core curriculum established by the State Board of Education and the Arkansas Higher Education Coordinating Board. Applicants, who have not completed the core curriculum due to unavailability of the courses in the applicant's high school, shall have a grace period of twelve (12) months from the date of high school graduation in which to make up any

course deficiencies.

- F. Have a 2.75 on a 4.0 scale in the core curriculum courses if attending an approved two-year institution or 3.0 on a 4.0 scale in the core curriculum courses if attending an approved four-year institution.
- G. Have scored nineteen (19) or above on the ACT composite or the equivalent as defined by the University of Arkansas at Pine Bluff.
- H. Be a citizen of the United States or permanent resident alien.

II. Continued Eligibility Requirements

The University of Arkansas at Pine Bluff will renew awards for succeeding years to recipients who continue to meet the criteria set forth in Rule 2, Paragraphs I, A-H; and who complete at least 24 semester credit hours (or the equivalent) unless they are a part-time student.

RULE 3 - SELECTION PROCESS

- I. Students must submit an application to the University of Arkansas at Pine Bluff. Applications will be mailed to Education Departments, financial aid directors, Deans of Colleges of Education, and Teacher Certification Officials at all public and independent 2-year and 4-year institutions in the State of Arkansas. Applications may also be obtained from the University of Arkansas at Pine Bluff, School of Education upon request.
- II. Deadline for Applications

The application deadline will be established by the University of Arkansas at Pine Bluff and the Department of Education and announced to each participating institution when applications are distributed.
- III. Review of Applications

For applications that are either incomplete or ineligible, a notice will be sent to the applicant identifying the reason for incompleteness or ineligibility. The applicant will then have the opportunity to provide the missing information or correct any inaccurate information.
- IV. Ranking of Applicants

Applications are ranked according to a combination of components including cumulative grade point average and major grade point average.
- V. Selection and Notification of Recipients

- A. UAPB and the Arkansas Department of Education shall review ranked applicants and make recommendations for scholarship recipients based on allocation of funds. If sufficient funds are not available to fully fund scholarship awards to all eligible students, UAPB shall make awards to first-time students on a first-come, first-served basis.
- B. The final responsibility for selecting scholarship recipients shall rest with the Chancellor of the University of Arkansas at Pine Bluff.

VI. Institutional Eligibility

The institution to be attended under the scholarship program must be a baccalaureate degree-granting institution of higher education whose teacher education program is approved by the State Board of Education or at an accredited state-supported community college in the State of Arkansas.

RULE 4 - AWARDING OF SCHOLARSHIP

I. Award Process

Selected scholarship recipients will be mailed award notices stating their eligibility for the program and the conditions for continued eligibility. Prior to the disbursement of funds, recipients will receive promissory notes for the purpose of entering into an agreement with the University of Arkansas at Pine Bluff. The terms of the agreement will include the general purpose, repayment and deferment procedures, interest calculations, and a schedule of advances. The promissory note shall be signed by the scholarship recipient and by a co-maker of eligible age. Modifications to any award amounts will be confirmed through the issuance of a new promissory note.

II. Disbursement of Scholarship

The scholarship will be divided equally according to the number of terms at each institution: three payments for those institutions on trimesters and two payments for those institutions on semesters. Funds will be sent to the institution via electronic funds transfer. After verification of full-time enrollment for the scholarship recipient, the institution disburses the funds in accordance with its policy.

III. Limitation of Scholarships

- A. Students may receive up to \$1,500 per academic year for full-time attendance. Awards for part-time students will be \$750.00 if they attend at least six (6) semester credit hours, but less than 12 semester credit hours or the equivalent.
- B. Students may receive scholarships for a maximum of four (4) annual awards for full-time students. Part-time students may receive the number of academic hours equivalent to one (1) school year, as determined by the University of Arkansas at

Pine Bluff. No student may receive an award after they have completed certification requirements, as determined by the teacher certification official to teach in Arkansas.

- C. Recipients must indicate an intention to teach in a public school district in a geographical area of the State of Arkansas where there is a critical shortage of teachers, or in the Delta, as designated by the Department of Education.
- D. Act 1180 of 1999 states that students who receive scholarships from public funds may not use those funds in a financial aid package to exceed the Federally recognized cost of attendance at the institution where the student enrolls. The institution must follow ADHE policy in repaying public funds in the amount exceeding the total cost of attendance for any student who receives public funds in a financial aid package above the cost of attendance.

IV. RULE 5 - REPAYMENT OF SCHOLARSHIP

I. Terms of Repayment

- A. Scholarship recipients who teach full-time in an Arkansas public school district in a geographical areas of the state where there is a critical shortage of teachers, or in the Delta, as designated by the Department of Education following certification shall render one year of service as a licensed teacher for each year of scholarship assistance received, when the total scholarship and accumulated interest will be forgiven.

The University of Arkansas at Pine Bluff will verify the recipient's employment once a year in June by contacting the superintendent's office in the recipient's employment district.

- C. Recipients who do not teach full-time in an Arkansas public school district in a geographical areas of the state where there is a critical shortage of teachers, or in the Delta, as designated by the Department of Education following certification, or who discontinue their studies prior to completing their program of study shall, within a maximum of five (5) years from the completion of study or withdrawal from school, repay the full remaining balance, plus accrued interest according to an interest and repayment schedule provided by the University of Arkansas at Pine Bluff. At this point, the recipient's scholarship converts to a loan.

The repayment schedule will be set in monthly payments based on the total amount of the loan remaining at the time of entry into repayment, plus interest. Payments will be computed to ensure that repayment will be completed within a maximum of five years from the completion of study or withdrawal from school. Minimum repayment is \$50.00 per month.

II. Interest on Loan

- A. Interest will accrue from the beginning of the repayment period at a maximum annual percentage rate of 10 percent on the unpaid balance. Interest will be calculated as a simple, per annum interest charge on the outstanding principal.
- B. Interest will not accrue and installments need not be paid when a deferment has been approved by the University of Arkansas at Pine Bluff. Any recipient who wishes a deferment must submit an application for deferment to UAPB for approval.

III. Deferment of Loan

- A. At UAPB's discretion, scheduled loan repayments may be deferred if UAPB determines that extraordinary circumstances prevent the recipient from making such repayments. Deferments may be granted for the following conditions:
 - 1. The recipient is engaged in a full-time course of undergraduate or graduate study at an institution of higher education. This must be verified by the Registrar's Office.
 - 2. The recipient is seeking and unable to find employment as a teacher in an Arkansas public school district in a geographical areas of the state where there is a critical shortage of teachers, or in the Delta, as designated by the Department of Education approved for a single period not to exceed twelve (12) months. The loan recipient must submit a list of schools contacted for employment. UAPB will verify this information with the superintendent's office in each of those school districts.
 - 3. The recipient is temporarily totally disabled, for a period not to exceed three years, as established by sworn affidavit from a licensed physician. UAPB reserves the right to require a second opinion by an UAPB approved physician.
 - 4. The recipient is unable to secure employment for a period not to exceed twelve (12) months by reason of the care of a spouse who is disabled, as established by the signature of a licensed physician. UAPB reserves the right to require a second opinion by an UAPB approved physician.
- 5. Other extraordinary circumstances which would prevent the recipient from repaying the debt within the contractual obligations of the note may be considered.
- B. To qualify for any of the deferments, recipients must notify UAPB of their claim to the deferment on a Request for Deferment form which will be supplied by UAPB upon request. The recipient must complete the Request for Deferment form and return it, along with supporting documentation, to UAPB. UAPB will

notify the recipient within ten (10) working days of approval or disapproval of any application for a deferment.

IV. Cancellation of Scholarship

UAPB will cancel a recipient's repayment obligations if it determines:

- A. On the basis of a sworn affidavit of a licensed physician, that the recipient is unable to teach on a full-time basis because of an impairment that is expected to continue indefinitely or result in death. UAPB reserves the right to require a second opinion by an UAPB approved physician; or
- B. On the basis of a death certificate or other evidence of death, that is conclusive under state law, that the recipient has died.

V. Prepayment of Loan

There shall be no penalty for prepayment or repayment of all or any portion of the principal.

VI. Grace Period

There will exist a nine-month grace period following graduation before the recipient must either take employment in an Arkansas public school district in a geographical area of the state where there is a critical shortage of teachers, or in the Delta, as designated by the Department of Education or begin repayment of the scholarship.

VII. Failure to Repay

Scholarship recipients who fail to meet their repayment obligations may have added to their total obligation any costs for collection of the debt.

V. RULE 6 - INSTITUTIONAL RESPONSIBILITIES

I. The University of Arkansas at Pine Bluff shall:

- A. Be the administering agency of the program.
- B. Deposit all funds received from the repayment of scholarship awards by program participants in the funds that provides funding for the Arkansas Geographical Critical Needs Minority Teacher Scholarship Program.
- C. Make an annual report to the General Assembly that:
 - 1. Contains a complete enumeration of the program's activities, scholarships granted, names of persons to whom granted, and the institutions attended by those receiving the scholarships, the teaching

location of applicants who have received their education and become licensed teachers within this state as a result of the scholarship.

2. Accounts for receipts and expenditures for salaries and expenses incurred.
3. Distinguishes between those recipients who have breached their contracts but with UAPB's permission who have paid their financial obligations in full, and those recipients who have breached their contracts and remain financially indebted to the state.

B. Institutional Verification

The institution shall provide certification to UAPB each semester after registration, giving the names of the program scholarship recipients who are officially enrolled as full-time students. This information is reported on a verification roster. The certifying official is responsible for completing the verification roster two times a year for those schools on the semester system and three times a year for those schools on the trimester system. The verification roster will be mailed to the financial aid director at the time of registration for each term. The signed verification roster should be returned to UAPB by November 1 for the fall term, March 15 for the winter and/or spring term, and May 1 of the spring term for institutions on the trimester system.

The verification roster is an alphabetical listing by institution of all persons receiving an Arkansas Geographical Critical Needs Minority Teacher Scholarship for a given academic semester or trimester. Students who are not enrolled in the current term or making satisfactory progress according to the rules and regulations of Arkansas Geographical Critical Needs Minority Teacher Scholarships shall not receive scholarship benefits in that term.

C. Deadlines for Disbursement of Funds

The deadline for disbursement of funds is no later than 10 days after written receipt of funds. Any outstanding funds not disbursed must be returned to the University of Arkansas at Pine Bluff.

D. Refund Policy

It is the institution's responsibility to notify UAPB of the names of any persons owing a refund, the date of the withdrawal, and the refund amount. This information should be placed on the institution's verification roster before returning it to UAPB.

E. Due Diligence

The institution will exercise due diligence in providing complete, accurate, and timely information as requested by UAPB on any current or former loan recipient. In addition, the institution will exercise due diligence in complying with all the rules and regulations of the Arkansas Geographical Critical Needs Minority Teacher Scholarship Program. The University of Arkansas at Pine Bluff will periodically review the institution's records concerning this program in an effort to exercise its due diligence requirements as a steward of state funds.

VI. RULE 7 - SCHOLARSHIP RECIPIENT'S RESPONSIBILITY

I. Recipient's Responsibility

It is the recipient's responsibility to notify the University of Arkansas at Pine Bluff of any change in status within 21 days. This will include:

Change in name;

Change in residence;

Change in institution;

Change in full-time status (below twelve college semester credit hours or its equivalent per semester or trimester);

Change in course of study; and/or

Change in employment.

Failure to notify the University of Arkansas at Pine Bluff of a change in status will affect future eligibility or collection status.

VII. RULE 8 - COLLECTION OF LOAN

I. Collection of Loan

Accounts will be retained by UAPB in the School of Education until the individual is no longer eligible for forgiveness or deferment due to the recipient's failure to remain employed in the teaching field for the specified time period. At that time, the scholarship will be converted to a loan and the account will be turned over to a vendor for servicing. UAPB will notify the student by mail of this action and include a loan amortization schedule with the notification letter. The account will remain with the vendor until repaid or 120 days past due. Upon determination that a loan recipient is 120 days delinquent, UAPB will mail both the recipient and the co-signer a first letter of notification ten (10) days after the installment payment is due. If payment is not received within 60 days from the original payment due date, a second letter of notification will be sent to the loan recipient and the co-signer declaring the account delinquent and requesting that it

be immediately brought up to date. If no response is received by 90 days from the original payment due, the third and final letter of notification will be sent to the recipient and co-signer informing them that the account will officially be in default if outstanding payments are not received within 30 days.

II. Skip Tracing Mechanisms

If letters are returned as undeliverable, the Department of Finance and Administration's Motor Vehicle Division can be used to perform skip tracing activities. Motor Vehicle Division's records are updated in March and September each year. To get this information, mail name, current address, and social security number on University of Arkansas at Pine Bluff letterhead to:

Department of Finance and Administration
Motor Vehicle Division
P. O. Box 1272
Little Rock, AR 72202
ATTENTION: Correspondence Desk

A response from the Motor Vehicle Division should be received within ten (10) working days. Additionally, UAPB will use these steps to locate recipients and/or co-signers if communications are returned as undelivered:

1. Contact references listed on the recipient's application;
2. Utilize telephone directory or check with directory assistance in the area of the recipient and/or co-signer's last known address;
3. Contact institutional offices (alumni office, admissions office, registrar's office, fraternity or sorority, and the department that the recipient majored in) at the campus where the recipient last attended;
4. Contact creditors, such as credit card companies, credit bureaus, or GSL lender;
5. Contact recipient's field of study professional organization, union, or licensing board;
6. Contact post office;
7. Contact utility companies; and,
8. Contact Chamber of Commerce.

II. Credit Reporting Agencies

Defaulted recipients and/or co-signers will be reported to the following credit reporting agencies:

1. CSC Credit Reporting Services, Inc.
2. T R W Credit Data
3. Trans Union Credit Reporting

Forms for reporting defaulted loan recipients and/or co-signers are located in the collections file. UAPB will also respond promptly to any inquiries it receives from credit reporting agencies concerning delinquent or defaulted loan recipients and/or co-signers.

IV. State Income Tax Set-Off

By the authority of Act 345 of 1993, UAPB is a claimant agency for the set-off of debts against state tax refunds. To access the Set-Off Section of the State Tax Administration Office, UAPB must submit name, address, social security number, and amount of debt via computer magnetic tape by December 1 to intercept taxes for the next year.

V. Litigation

No sooner than 30 days after sending the third letter of notification, UAPB shall institute a civil suit against the recipient and co-signer for repayment of the scholarship. Small Claims Courts will be used to satisfy debts of accounts up to \$3,000.00. If over \$3,000.00, UAPB must use Circuit Court. If the account is \$3,000.01 or above, UAPB may choose to use Small Claims Courts and waive the difference because of the expense involved in going to Circuit Court. If UAPB chooses to waive the difference, it may not, at a later date, attempt to collect the difference. Forms to take the recipient and/or co-signer to Small Claims Court are requested from the recipient's and/or co-signer's county of residence.

VI. Write-Offs

Arkansas Geographical Critical Needs Minority Teacher Scholarships may be written off as uncollectible if UAPB shows due diligence to satisfy the collection of the debt, and documents in the recipient's file that:

- A. the cost of litigation would exceed the likely recovery if litigation were commenced; or
- B. the recipient and/or co-signer does not have the means to satisfy a judgment on the debt, or a substantial portion thereof.

Proof of due diligence collections activities must be submitted to the administrator of the Department of Finance and Administration and approved by the administrator before Arkansas Geographical Critical Needs Minority Teacher Scholarship accounts may be written off as uncollectible.

VII. Nonpayment Penalties

Scholarship recipients who fail to meet their repayment obligations may have added to their total obligation any costs for collection of the debt.

VIII. RULE 9 - PROGRAM DEFINITIONS

The following definitions are used in the Arkansas Geographical Critical Needs Minority Teacher Scholarship Program:

Academic Year	A measure of the academic work to be accomplished by the recipient. The academic year is defined as two semesters, two trimesters, or three quarters.
Approved Institution	An Arkansas postsecondary public or private college or university school that is currently accredited by a nationally recognized accrediting agency or association that has a teacher education program or a regionally accredited two-year Arkansas institution where those courses are directly creditable toward teacher education in a baccalaureate institution. The institution must not discriminate against applicants, or employees on the basis of race, color, religion, sex, age, handicap, or national origin, consistent with the provisions of applicable state and federal laws. The institution must have a signed administrative agreement with ADHE.
Award Year	The award year begins on July 1 of one calendar year and ends on June 30 of the next calendar year.
Cancellation	UAPB shall cancel a recipient's repayment obligation if it determines: On the basis of a sworn affidavit of a licensed physician, that the recipient is unable to teach on a full-time basis because of an impairment that is expected to continue indefinitely or result in death. UAPB reserves the right to require a second opinion by an UAPB approved physician; or on the basis of a death certificate or other evidence of death, that is conclusive under state law, that the recipient is deceased.

Default	Failure to repay the Arkansas Geographical Critical Needs Minority Teacher Scholarship in accordance with the terms of the promissory note provided that this failure persists for 180 days for monthly payments.
Deferment	This is a postponement of repayments and the accrual of interest. UAPB shall not consider that the recipient has violated the repayment schedule if he or she does not meet the payments during the time he or she is in deferment status.
Delta Region	The following 42 counties of Arkansas are designated as being in the Delta Region: Arkansas, Ashley, Baxter, Bradley, Calhoun, Chicot, Clay, Cleveland, Craighead, Crittenden, Cross, Dallas, Desha, Drew, Fulton, Grant, Greene, Independence, Izard, Jackson, Jefferson, Lawrence, Lee, Lincoln, Lonoke, Marion, Mississippi, Monroe, Ouachita, Phillips, Poinsett, Prairie, Pulaski, Randolph, St. Francis, Searcy, Sharp, Stone, Union, Van Buren, White, and Woodruff. (Information obtained from the Delta Foundation in Mississippi.)
Due Diligence	This process refers to those steps UAPB takes to collect Arkansas Geographical Critical Needs Minority Teacher Scholarship funds when a recipient enters repayment status. It includes: billing the recipient, sending overdue notices, conducting address searches if the recipient cannot be located, reporting the account to credit bureaus, collection, and litigation. Due diligence also includes keeping the recipient informed of all changes in the Arkansas Geographical Critical Needs Minority Teacher Scholarship that affect his or her rights and responsibilities and responding promptly to the recipient's inquiries.
Full-time Student	A student enrolled for a minimum of 12 semester credit hours or the equivalent.
Grace Period	A nine-month period of time following graduation and before the recipient must either take employment in a public school in Arkansas or begin repayment of the scholarship.
Minority	Persons who are Black Americans, Hispanic Americans, Asian Americans, and Native Americans which group includes all persons having origins in any of the original peoples of North America and who maintain cultural

	identification through tribal affiliation or community recognition.
Part-time Student	A student enrolled in at least 6 semester credit hours of the equivalent, but less than 12 semester credit hours or the equivalent.
Permanent Resident Alien	An individual who can provide documentation from the Immigration and Naturalization Service (INS) that he or she is in the U.S. for other than a temporary purpose with the intention of becoming a citizen or permanent resident. Valid documentation is an I-551, I-151, I-181, I-94, or passport stamped with the notation "Processed for I-551, Temporary Evidence of Lawful Admission for Permanent Residence". A completed Form G-641 can also be used to document permanent resident status.
Promissory Note	The promissory note is a legal document obligating the recipient to repay the loan if he or she does not teach one year for each year of scholarship assistance received. The recipient must be licensed to teach in a public school district in a geographical area of the state where there is a critical shortage of teachers, or in the Delta, as designated by the Department of Education. The recipient's rights and responsibilities will be stated on the promissory note.
Satisfactory Academic Progress	Satisfactory academic progress is maintained if the recipient has a minimum 2.75 on a 4.0 scale if attending an approved two-year institution or 3.0 on a 4.0 scale if attending an approved four-year institution.
Skip Tracing	A process for locating a recipient that is in repayment status. UAPB's efforts may include contacting relatives, friends, references, and other individuals or entities in the recipient's file.
Teach on a Full-time Basis	Teach the same number of hours required of teachers who have full-time contracts, as determined by the institution or agency at which an individual is teaching, for a minimum of one academic term, as defined by the institution or agency in which an individual is teaching.
U.S. Citizen or National	The term "U.S. citizen" includes persons born or who have become naturalized citizens of the 50 States, the District of Columbia, Puerto Rico, the Virgin Islands, Guam, the

Northern Mariana Islands, and Trust Territory - Palau. The term "national" includes citizens of American Samoa or Swain's Island.

Citation: [6-82-1501-1506](#)

RULES HIGHER EDUCATION OPPORTUNITIES GRANT

The Arkansas Higher Education Opportunities Grant (GO! Opportunities Grant) was created in 2007. The grant is a need-based grant program that allows disadvantaged students to qualify for up to \$1,000 annually in scholarship assistance to attend one of the state's approved higher education institutions. The grant award amounts are \$1,000 a year for full-time students and \$500 a year for part-time students. The grant is renewable for up to a total award amount of \$4,000 provided the student meets the continuing eligibility standards established by the Arkansas Department of Higher Education.

The Higher Education Opportunities Grant Program (Go! Opportunities Grant) serves as a key investment opportunity and brings Arkansas another step closer to meeting the goal of making a postsecondary education attainable for disadvantaged students who may not have a chance to pursue a degree otherwise. Much effort is going into working with lower income students as well as current adult workers, many of whom have found themselves in a cycle of underemployment. A full range of initiatives are being undertaken with an eye toward providing educational opportunities for individuals that will result in long-term economic gains for the state as a whole.

Act 1213 of 2009 expanded the Higher Education Opportunities Grant Program (Go! Opportunities Grant) to provide need-based financial aid for all college-going individuals from low income families. Act 1213 made the following changes to the Higher Education Opportunities Grant Program (Go! Opportunities Grant):

- The applicant shall be a bona fide resident of the state as defined by the Department of Higher Education for a minimum of twelve (12) months immediately before the date on which the student applies;
- The applicant shall be enrolled in an approved institution of higher education as a full-time or part-time student;
- The applicant must be enrolled in a program of study that leads to or is creditable towards a baccalaureate degree. These programs include baccalaureate degree programs, associate degree programs, qualified certificate programs and nursing school diplomas, which require concurrent college enrollment;
- An applicant whose number in the household, as reported on the Free Application for Federal Student Aid, is one (1) shall have a family adjusted gross income (AGI) not exceeding \$25,000 per year, as reported on the Free Application for Federal Student Aid (FAFSA) at the time of application for the program, plus an additional \$5,000 of AGI per year for each number in the household up to ten (10) additional household members.

In compliance with the Administrative Procedures Act of 1979, a public hearing was announced in a newspaper of general circulation to discuss the rules and regulations that will govern the Higher Education Opportunities Grant Program. The hearing will be held on July 31, 2009, in conjunction with a meeting of the Arkansas Higher Education Coordinating Board.

The following resolution is offered for the Board's consideration:

RESOLVED, That the Arkansas Higher Education Coordinating Board adopts the rules and regulations presented in this agenda item for the Higher Education Opportunities Grant Program, to be administered jointly by the Arkansas Department of Higher Education and approved Arkansas Institutions of Higher Education.

FURTHER RESOLVED, That by the adoption of the rules and regulations presented in this agenda item, the Director of the Arkansas Department of Higher Education or her designee is authorized to promulgate these rules and regulations and to implement them for the 2009-10 academic year.

FURTHER RESOLVED, That the Director of the Arkansas Department of Higher Education or her designee is authorized to make technical changes and corrections when necessary in the program rules for the Higher Education Opportunities Grant Program.

Citation: [6-82-1701-1709](#)

HIGHER EDUCATION OPPORTUNITIES GRANT PROGRAM
RULES AND REGULATIONS

RULE 1 – ORGANIZATION AND STRUCTURE

- I. The Arkansas Department of Higher Education (ADHE) shall administer the Higher Education Opportunities Grant Program within the policies set by the Arkansas Higher Education Coordinating Board. All formal communications shall be addressed to or signed by the Director of the Arkansas Department of Higher Education or his/her designee.
- II. The Director of the Arkansas Department of Higher Education has the final responsibility for selecting grant recipients pursuant to the provisions of Act 1030 of 2007, Act 1213 of 2009, Act 21 of 2015, and subsequent legislation, and program rules and regulations.
- III. The Arkansas Department of Higher Education shall follow the provisions of the Administrative Procedures Act when functioning under Act 1030 of 2007, Act 1213 of 2009, Act 21 of 2015, and subsequent legislation.

RULE 2 – GRANT ELIGIBILITY CRITERIA

I. Eligibility Criteria

An applicant must meet the following requirements to be eligible to receive the Higher Education Opportunities Grant:

- A. The applicant must be a citizen of the United States or a permanent resident alien.
- B. The applicant shall be a bona fide resident of the state as defined by the Department of Higher Education for a minimum of twelve (12) months immediately before the date on which the student applies.
- C. The applicant shall be enrolled in an approved institution of higher education as a full-time or part-time student, as defined by the Department of Higher Education.
- D. The applicant must be enrolled in a program of study that leads to or is creditable towards a baccalaureate degree. These programs include baccalaureate degree programs, associate degree programs, qualified certificate programs and nursing school diplomas, which require concurrent college enrollment.

E. Applicants must certify that they are drug-free and must pledge in writing on the application form to refrain from the use or abuse of illegal substances. This pledge includes alcohol for applicants under twenty-one years of age.

F. Applicants must demonstrate financial need as defined below:

1. An applicant whose number in the household, as reported on the Free Application for Federal Student Aid, is one (1) shall have a family adjusted gross income (AGI) not exceeding \$25,000 per year, as reported on the Free Application for Federal Student Aid (FAFSA) at the time of application for the program, plus an additional \$5,000 of AGI per year for each number in the household up to ten (10) additional household members.
2. The Department of Higher Education may increase the income requirements using the Federal Consumer Price Index, if sufficient funds become available.
3. The Department of Higher Education may exercise professional judgment in determining family income levels when special circumstances exist that can be documented.

II. Continued Eligibility

If sufficient funds are available, the grant shall be awarded for one academic year and renewed annually if the recipient maintains a 2.0 cumulative grade point average on a 4.0 scale, maintains satisfactory academic progress and demonstrates financial need.

RULE 3 – APPLICATION PROCESS

I. Application

Students must submit an application for the Higher Education Opportunities Grant Program to the Arkansas Department of Higher Education. The Arkansas Department of Higher Education will provide an application on the Department's financial aid website. The Arkansas Department of Higher Education will also provide application forms to any individual upon request. The applicant must complete the Higher Education Opportunities Grant application to be considered for the grant. The applicant must also complete the Free Application for Federal Student Aid (FAFSA).

II. Submission of Application and Application Deadline

Any interested student planning to enroll in an eligible public or private college or university in Arkansas may apply.

The Arkansas Department of Higher Education shall establish the deadline for receipt of applications each year. The deadline date shall be clearly printed on the application.

All applications and supporting documentation must be received by the Arkansas Department of Higher Education by the established deadline date in order to be considered. It is the responsibility of the individual applicant to ensure that the application is received by the Arkansas Department of Higher Education by the deadline date.

*If any deadline date occurs on a weekend or holiday, the deadline will be extended to the following business day.

III. Amount of Grant

The amount of the annual grant awarded to each recipient shall be as follows:

- A. A full-time recipient shall be awarded in the amount of one thousand dollars (\$1,000) per academic year;
- B. A part-time recipient shall be awarded in the amount of five hundred dollars (\$500) per academic year.

IV. Award Notification and Prioritization of Awards

During times of funding shortages under the Higher Education Opportunities Grant Program, the Department of Higher Education shall first award those students who received an award in the previous academic year. If sufficient funds are not available to renew the Higher Education Opportunities Grants of prior years' recipients, the available funds will be pro-rated among those recipients.

New applicants will receive the second funding priority. Should sufficient funds be unavailable to award all new applicants, awards will be prioritized beginning with the neediest students first.

The Arkansas Department of Higher Education shall notify each eligible applicant of his/her award. The award notice includes the student's name, address, social security number, the actual amount the student is eligible to receive, and the student's first institutional choice as indicated on the application form. The award notice also explains the Arkansas Department of Higher Education's disbursement procedures and conditions, as detailed in Rule 4, of the Higher Education Opportunities Grant.

V. Eligible Award Notification

Students who are determined to be eligible for participation in the Higher Education Opportunities Grant Program but who have not indicated which Arkansas institution of higher education they will attend shall be classified as eligible. The Arkansas Department of Higher Education shall notify the students of their status as eligible. The notice provides instructions for receiving an award and defines the recipient's responsibilities.

VI. Ineligible and Incomplete Notification

The Arkansas Department of Higher Education shall notify applicants who are determined to be ineligible and provide the reason for ineligibility. They will also be given instructions on how to correct any information on the application they believe to be incorrect. Applicants who fail to submit complete applications, or who fail to supply the required documentation to process the application, will be classified as Incomplete. The Arkansas Department of Higher Education shall notify these students of their status. The Incomplete notice provides a list of the incomplete items and the actions necessary for completion.

RULE 4 – GRANT PAYMENT POLICIES

I. Limits of Payment

A. Payment of Grants

The Arkansas Department of Higher Education shall disburse grant funds to the approved institution of the student's choice. The Arkansas Department of Higher Education shall send funds to the institution via electronic funds transfer or state warrant. After verification of full-time or part-time enrollment, the institution will disburse the grant funds to the student according to the institution's disbursement procedures. The grant fund payment will correspond to academic terms or equivalent time periods at the eligible institution not to include summer terms. The Higher Education Opportunities Grant will be disbursed in equal disbursements during the fall and spring term. In no instance may the entire amount of the grant disbursement for an educational year be paid to or on behalf of such student in advance nor may a student receive grant payments at more than one (1) institution for the same academic term.

B. Transfer of Grants to Another Approved Institution

A recipient who has received a Higher Education Opportunities Grant may transfer the grant to another approved Arkansas institution of higher education, provided that:

1. The student notifies the Arkansas Department of Higher Education, in writing, of the change of status by October 1 for the fall term and by February 1 for the spring term;
2. When transferring institutions between the fall and spring terms, the student must submit a transcript to ADHE, which certifies that the student has maintained a 2.0 GPA at the institution the student is leaving.

C. Renewal of Grant

The grant recipient shall receive a grant for one (1) academic year, renewable for up to a total cumulative award amount of \$4,000, provided the recipient maintains at least a 2.0 cumulative grade point average on a 4.0 scale, maintains satisfactory academic progress and demonstrates financial need.

A student may not use these funds for educational purposes beyond the baccalaureate degree.

D. Cancellation of the Grant

1. The award will be terminated for any of the following reasons:
 - a. Failure to maintain at least a 2.0 cumulative grade point average on a 4.00 scale.
 - b. Failure to maintain satisfactory academic progress.
 - c. Failure to demonstrate financial need.
2. The recipient is responsible for notifying, in writing, the Arkansas Department of Higher Education of any change in status (i.e. transfer to another eligible institution in Arkansas, change in name, etc.) before appropriate deadline dates. Failure to provide written notification may result in the cancellation of the grant for that term.

E. Military Service

Recipients who are members of the Arkansas National Guard or Armed Forces Reserve units who are called to active duty for reasons other than regular unit training and are unable to complete the current term will be allowed to repeat the missed term without loss of grant credit. In addition, they will be placed in deferred status until six months after release from active duty, at which time they must be re-enrolled in an approved institution.

F. Repayment of Grant

If the recipient of a grant withdraws, drops out, or is expelled on or after the first day of class of a payment period, the institution will determine whether the student received an overpayment of financial aid funds for non-institutional expenses. Overpayment is the difference between the amount received as cash disbursements and the amount incurred for non-institutional costs during the portion of the payment period that the student was actually enrolled. It is the institution's responsibility to contact students and recover overpayments.

G. Refunds

The Higher Education Opportunities Grant Program is entitled to a refund of the grant amount, for that semester, if the recipient of a grant withdraws, drops out, or is expelled on or after his or her first day of class of the payment period and the situation falls under the refund policy of the institution. The institution shall pay the refund to the Arkansas Department of Higher Education.

H. Overpayment

If the award of a Higher Education Opportunities Grant results in an overpayment to the student according to the state law governing the anti-stacking of scholarships, the institution shall follow the ADHE policy in reducing the student's financial package to prevent the student from receiving funds above the federally recognized cost of attendance.

I. Withdrawal Policy

A recipient shall be continuously enrolled unless the Arkansas Department of Higher Education has approved a leave of absence/scholarship hold. The department shall allow a student to withdraw from the Higher Education Opportunities Grant for no more than twenty-four (24) months due to:

16. A medical condition of the recipient or a member of the recipient's immediate family that, on the basis of a physician's good-faith judgment, necessitates the student or the student's immediate family member to be hospitalized or receive outpatient or home-based medical care or recuperation until released by the attending physician;
17. A personal or family emergency that requires the student to:
 - a. Attend the funeral of an immediate family member; or
 - b. Visit a relative of the student if the relative has a medical condition in which death is possible or imminent;
18. Military service under § 6-61-112;
19. A commitment for twelve (12) to twenty-four (24) months of:

- a. Service in a national or international humanitarian project sponsored by a nonprofit corporation organized with a charitable or educational purpose;
 - b. The student's commitment shall be expressed in a written agreement with the nonprofit organization including the terms of completion for the student's service on the related project;
 - c. The department shall release a scholarship hold if the department determines that the student did not complete the commitment under the written agreement; or
20. Any other reason approved by the Arkansas Department of Higher Education

The recipient must submit a written petition for withdrawal. The petition shall give the reason for withdrawal and be supported by documentation. In the absence of extraordinary circumstances, the award will be revoked if the recipient fails to enroll full-time in an eligible institution in Arkansas, and the Arkansas Department of Higher Education receives neither notification of transfer of the scholarship to another eligible institution, nor a petition for withdrawal by the recipient by October 1 for the fall term and February 1 for the winter and/or spring terms. At the discretion of the Department of Higher Education, the award will not be revoked if it is determined by ADHE that extraordinary circumstances prevented the student from notifying ADHE by the required dates.

RULE 5 – INSTITUTIONAL RESPONSIBILITIES

I. College/University Responsibilities

A. Administrative Agreement

The chief executive officer of the eligible institution is responsible for appointing one representative from the financial aid office to act as administrator of the Higher Education Opportunities Grant Program and to receive all communications, forms, etc. This representative is responsible for verification, data and compliance with all program rules and regulations. The institution must comply with all rules and regulations in order to maintain continued eligibility status.

B. Disbursement Records

The institution shall maintain information on the student indicating disbursement of grant funds.

C. Institutional Verification

The institution shall provide certification of full-time or part-time enrollment, as of the close of business on the eleventh day of classes, by completing a Verification Roster each semester after registration. The Verification Roster is an alphabetical listing by institution of all persons receiving the award for a given academic term. The certifying official is responsible for completing the verification rosters each term. The Arkansas Department of Higher Education shall provide Verification Rosters to the Financial Aid Administrator for each term as needed. The Verification Rosters shall be returned to the Arkansas Department of Higher Education by November 1 for the fall term and by April 1 for the spring term. The Arkansas Department of Higher Education shall also provide continuing eligibility rosters to the Financial Aid Administrator before the end of the spring term. The continuing eligibility rosters shall be returned to the Arkansas Department of Higher Education no later than June 15 to ensure that adequate time is provided to notify students of their status in the program.

D. Deadlines for Disbursement of Funds

The deadline for disbursement of funds is no later than 10 days after receipt of funds. Any outstanding funds not disbursed by these dates must be returned to the Arkansas Department of Higher Education. For those students whose applications are received by ADHE too late to allow disbursement by these dates, disbursement will be made within 10 working days of receipt of the verification roster and receipt of funds.

E. Due Diligence

The institution will exercise due diligence in providing complete, accurate, and timely information as requested by the Arkansas Department of Higher Education on any Higher Education Opportunities Grant recipient or former recipient. In addition, the institution will exercise due diligence in complying with all the rules and regulations of the Higher Education Opportunities Grant Program. The Arkansas Department of Higher Education shall periodically review the institution's records concerning this program in an effort to exercise its due diligence requirements as a steward of state funds.

RULE 6 – GRANT RECIPIENT’S RESPONSIBILITIES

It is the recipient's responsibility to notify the Arkansas Department of Higher Education of any change in status within 21 days. Changes in status will include:

- Change in name
- Change in permanent address
- Change in institution

Failure to notify the Arkansas Department of Higher Education of a change of status may affect future eligibility.

RULE 7 – PROGRAM DEFINITIONS

The following definitions are used in the Higher Education Opportunities Grant Program:

<i>ACADEMIC YEAR</i>	fall semester, spring semester, and first and second summer terms in that order.
<i>APPROVED INSTITUTION</i>	a public-supported or private, non-profit postsecondary institution with its primary headquarters located in Arkansas that is eligible to receive Title IV Federal student aid funds
	OR
	Only under conditions set forth in A.C.A. 6-82-1007, a public or private nursing school located in Arkansas that is approved by the State Board of Nursing and which does not discriminate against employees on the basis of race, color, religion, sex, age, handicap or national origin, consistent with the provisions of applicable state and federal law.
<i>CITIZEN</i>	a person who is a U.S. citizen or a permanent resident alien. If the recipient is not a U.S. citizen, but a

permanent resident alien, the recipient must attach a copy of the permanent resident alien card to the application.

ELIGIBLE APPLICANT any applicant who meets the eligibility criteria established in Rule 2.

FULL-TIME STUDENT twelve college credit hours or its equivalent per semester for the first semester and fifteen (15) credit hours or the equivalent thereafter.

INDEPENDENT STUDENT a student who meets the conditions to be deemed as independent for federal financial aid purposes.

LEGAL GUARDIAN a person who by court order has been appointed to act in the place of an individual's parent.

PART-TIME STUDENT six college credit hours or its equivalent per semester for students

PROFESSIONAL JUDGMENT Authority of ADHE professional staff that allows for the special consideration of applications or renewal requests when situations exist that prohibit the student from meeting the exact guidelines as stated, when specific documentation provided by the student, high school, or approved institution shows that the student meets the objectives or purpose of the program.

QUALIFIED CERTIFICATE PROGRAM A program that is:
(A) Offered by an approved institution of higher education;
(B) Shorter in duration than an associate degree for which credit hours awarded that are creditable towards an associate degree; and
(C) Recognized by the United States Department of Education for financial aid purposes.

TUITION charges levied for attendance at an eligible institution of higher education including mandatory fees charged to all full-time or part-time students by the approved institution.

**RULES AND REGULATIONS
THE WASHINGTON CENTER SCHOLARSHIP**

Act 1046 of 2007 establishes a new program to award scholarships of up to \$6,000 to students who are accepted to The Washington Center for Internships and Academic Seminars located in Washington, D.C. The Washington Center (TWC) is an independent nonprofit organization serving hundreds of colleges and universities in the United States and other countries by providing selected students challenging opportunities to work and learn in Washington, D.C. for academic credit. Students must be enrolled in an accredited college or university as a second semester sophomore or above, maintain a grade point average of at least 2.75 on a 4.0 scale, receive academic credit from the student's college or university for participation in the internship program and receive the endorsement of the student's campus liaison or faculty sponsor in order to be considered for acceptance from TWC.

The program is made up of three components: the internship, academic coursework, and the leadership forum. Students are placed, according to their interests, in substantive, supervised internships in governmental, international, for-profit or nonprofit organizations. They also participate in thematically organized programs (for example, the Congressional Leadership Program, the Science and Policy Program, or the Advocacy, Service and Arts Program), take an academic course, and attend and take part in a range of events including the Presidential Lecture Series, Congressional Speaker Series, Embassy Visit Program, briefings, tours, workshops and other activities.

The rules and regulations set the following parameters for The Washington Center Scholarship Program:

- For Arkansas residents and US citizens or permanent resident aliens;
- For students enrolled in an eligible Arkansas institution that will grant academic credit for participation in The Washington Center Internship Program located in Washington, D.C.;
- For students who meet The Washington Center admission requirements;
- For students enrolled in a program of study, which leads to or is creditable towards a baccalaureate degree. These programs include baccalaureate degree programs and associate degree programs.

ADHE has appropriation authority to spend \$120,000 in the first and second year for The Washington Center Scholarship Program for the current biennium.

In compliance with the Administrative Procedures Act of 1979, a public hearing was announced in a newspaper of general circulation to discuss the rules and regulations that will govern The Washington Center Scholarship Program. The hearing will be held on August 3, 2007, in conjunction with a meeting of the Arkansas Higher Education Coordinating Board.

The following resolution is offered for the Board's consideration:

RESOLVED, That the Arkansas Higher Education Coordinating Board adopts the rules and regulations presented in this agenda item for The Washington Center Scholarship Program, to be administered jointly by the Arkansas Department of Higher Education, approved Arkansas Institutions of Higher Education and The Washington Center.

FURTHER RESOLVED, That by the adoption of these rules and regulations presented in this agenda item, the Director of the Arkansas Department of Higher Education or his/her designee is authorized to promulgate these rules and regulations and to implement them for the 2007-08 academic year.

FURTHER RESOLVED, That the Director of the Arkansas Department of Higher Education or his/her designee is authorized to make technical changes and corrections when necessary in the program rules for The Washington Center Scholarship Program.

Citation: [6-82-106](#)

THE WASHINGTON CENTER SCHOLARSHIP
PROGRAM
RULES AND REGULATIONS

RULE 1 – ORGANIZATION AND STRUCTURE

- I. The Arkansas Department of Higher Education (ADHE) shall administer The Washington Center Scholarship Program within the policies set by the Arkansas Higher Education Coordinating Board. All formal communications shall be addressed to or signed by the Director of the Arkansas Department of Higher Education or his/her designee.
- II. The Director of the Arkansas Department of Higher Education has the final responsibility for selecting scholarship recipients pursuant to the provisions of Act 1046 of 2007 and subsequent legislation, and program rules and regulations.
- III. The Arkansas Department of Higher Education shall follow the provisions of the Administrative Procedures Act when functioning under Act 1046 of 2007 and subsequent legislation.

RULE 2 – SCHOLARSHIP ELIGIBILITY CRITERIA

An applicant must meet the following requirements to be eligible to receive The Washington Center Scholarship:

~~A.~~ The applicant must be a citizen of the United States or a permanent resident alien. If the recipient is not a U.S. citizen, but a permanent resident alien, the recipient must attach a copy of the permanent resident alien card to the application.

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~~B.~~ The applicant must be a bona fide Arkansas resident, as defined by the Arkansas Department of Higher Education, for at least six (6) months prior to the application deadline.

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~~C.~~ The applicant must be enrolled in an approved Arkansas institution that will grant academic credit for participation in The Washington Center Internship Program located in Washington D.C.

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~~D.~~ The applicant must meet The Washington Center (TWC) admission requirements and be selected by TWC to participate in their internship program.

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~~E.~~ The applicant must be enrolled in a program of study, which leads to or is creditable towards a baccalaureate degree. These programs include baccalaureate degree programs and associate degree programs.

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RULE 3 – APPLICATION PROCESS

I. Application

Students must submit an application to The Washington Center for Internships and Academic Seminars and be accepted for participation in The Washington Center's internship program. The application and program information can be obtained from The Washington Center at www.twc.edu or by calling (800) 486-8921. Students can also contact the campus coordinator at the institution he/she attends.

II. Submission of Application and Application Deadline

Students must submit an application to The Washington Center (TWC) by the established deadline dates. The student is responsible for submitting the application and all supporting documentation to TWC in a timely manner. TWC will provide a list of all eligible applicants to the Arkansas Department of Higher Education.

III. Amount of Scholarship

The amount of the scholarship for each recipient will be up to \$6,000 for one-time participation in The Washington Center internship program.

IV. Award Notification and Prioritization of Awards

The Washington Center will select the students that are eligible to participate in the internship program for each applicable academic period. Of those selected students, ADHE will determine the number of students to be awarded the scholarship based on the amount of funds available. In the event there are more eligible applicants than funds available, awards will be determined on a first-come, first-serve basis. Those not awarded will be given priority for participation in a subsequent term.

The Arkansas Department of Higher Education shall notify each eligible applicant of his/her award. The award notice includes the student's name, address, social security number, and the scholarship amount the student is eligible to receive. The award notice also explains the Arkansas Department of Higher Education's disbursement procedures and conditions.

The Department shall have the authority to exercise professional judgment in the determination of awards when special circumstances exist.

RULE 4 – SCHOLARSHIP PAYMENT POLICIES

I. Limits of Payment

A. Payment of Scholarship

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The Arkansas Department of Higher Education shall disburse scholarship funds to The Washington Center (TWC) located in Washington, D.C. Scholarship funds will be disbursed upon receipt of invoice from TWC. Invoices from TWC will be accepted by ADHE no later than ten (10) days after the beginning of each term. The Arkansas Department of Higher Education shall send funds to TWC via electronic funds transfer or state warrant.

B. Refunds

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The Washington Scholarship Program may be entitled to a refund of the scholarship amount if the recipient of the scholarship withdraws, drops out, is expelled, or does not meet the terms of the internship program outlined by The Washington Center (TWC) during the payment period. If this situation occurs, the student will owe funds to TWC who in turn shall return the refund to the Arkansas Department of Higher Education.

C. Overpayment

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The Arkansas Department of Higher Education will report the amount of the scholarship each student receives to the Arkansas institution where the student is enrolled. If the award of a Washington Scholarship results in an overpayment to the student according to the state law governing the stacking of scholarships, the institution shall follow the ADHE policy in reducing the student's financial package to prevent the student from receiving funds above the federally recognized cost of attendance.

RULE 5 – SCHOLARSHIP RECIPIENT’S RESPONSIBILITIES

It is the recipient's responsibility to notify the Arkansas Department of Higher Education of any change in status within 21 days. Changes in status will include, but not limited to, the following:

- Change in name
- Change in permanent address
- Change in institution

Failure to notify the Arkansas Department of Higher Education of a change of status may affect future eligibility.

RULE 6 – PROGRAM DEFINITIONS

APPROVED INSTITUTION

A public-supported or private non-profit postsecondary institution with its primary headquarters located in

Arkansas that is eligible to receive Title IV Federal student aid funds and will grant academic credit for participation in The Washington Center Internship Program located in Washington, D.C.

PROFESSIONAL JUDGMENT

Authority of ADHE professional staff that allows for the special consideration of applications when extraordinary circumstances occur beyond the applicant's control that may prohibit the student from meeting the exact guidelines as stated. The student must provide documentation, as required by ADHE, to demonstrate that circumstances were beyond the student's control.

THE WASHINGTON CENTER

The Washington Center for Internships and Academic Seminars is an educational nonprofit organization that provides selected students' opportunities to work and learn for academic credit. The Washington Center is located at 1333 16th Street, NW, Washington, D.C. 20036.

STATE TEACHER EDUCATION PROGRAM (STEP) RULES AND REGULATIONS

This agenda item presents the amended rules and regulations for the State Teacher Education Program (STEP) that are necessary to comply with Act 1215 of 2009. The creation of STEP resulted from the consolidation of three (3) financial aid programs that have been administered by the Arkansas Department of Higher Education (ADHE). Those programs include the State Teacher Assistance Resource (STAR) Program, Minority Teacher Scholars Program (MTSP) and the Minority Masters Fellows (MMF) Program. The STAR, MTSP and MMF programs provided money to college students who were pursuing a teaching license. Upon completion of the student's degree program, he or she was required to render teaching services in the state of Arkansas. If the recipient did not provide teaching services in this state, he or she was required to repay the money received. After careful evaluation of these programs, the 2009 General Assembly determined the need to consolidate the STAR, MTSP & MMF programs in order to make sure the funds were being used effectively. The program was restructures in that it will assist teachers, who are teaching in specified shortage areas in the state, with federal student loan repayment.

STEP will assist with repayment of federal student loans for up to three (3) years for eligible teachers who teach in a geographic and/or subject shortage area. The ADHE will work with the Arkansas Department of Education (ADE) to determine teacher shortage areas.

The amendment to the STEP rules and regulations align the award amount language with the language that is included in Act 1215 of 2009. The amendment also provides clarification on what is considered an approved teacher education program for which a teacher must have graduated from after April 2004 in order to be eligible. This action will ensure that rules and regulations comply with Act 1215 of 2009.

In compliance with the Administrative Procedures Act of 1979, a public hearing was announced in a newspaper of general circulation to discuss the rules and regulations that will govern the State Teacher Education Program (STEP). The hearing will be held on April 30, 2010, in conjunction with a meeting of the Arkansas Higher Education Coordinating Board.

The following resolution is offered for the Board's consideration:

RESOLVED, That the Arkansas Higher Education Coordinating Board adopts the rules and regulations presented in this agenda item for the State Teacher Education Program, to be administered by the Arkansas Department of Higher Education.

FURTHER RESOLVED, That by the adoption of the rules and regulations presented in this agenda item, the Director of the Arkansas Department of Higher Education or his designee is authorized to promulgate these rules and regulations and to implement them for the 2009-2010 academic year.

FURTHER RESOLVED, That the Director of the Arkansas Department of Higher Education or his designee is authorized to make technical changes and corrections when necessary in the program rules for the State Teacher Education Program.

Citation: [6-81-1601-1606](#)

**STATE TEACHER EDUCATION PROGRAM (STEP)
RULES AND REGULATIONS**

RULE 1 – ORGANIZATION AND STRUCTURE

- II. The Arkansas Department of Higher Education (ADHE) shall administer the State Teacher Education Program (STEP), hereafter known as STEP, within the policies set by the Arkansas Higher Education Coordinating Board. All formal communications shall be addressed to or signed by the Director of the Arkansas Department of Higher Education or his/her designee.
- II. When functioning under Act 1215 of 2009, and any subsequent legislation, ADHE shall follow provisions of the Administrative Procedures Act.

RULE 2 - ELIGIBILITY CRITERIA

- III. Eligibility Criteria
 - A. Applicants must be bona fide Arkansas residents, as defined by the Arkansas Department of Higher Education, for at least twelve (12) months prior to the application deadline.
 - F. Applicants must be a citizen of the United States or a lawful permanent resident.
 - G. Applicants must have graduated from a teacher education program after April 2004.
 - H. Applicants must have outstanding federal student loans.
 - I. Applicants must hold a valid Arkansas teacher's license.
 - J. Applicants must teach full-time at a public school district in Arkansas during the award year and meet one of the additional criteria:
 - a. Teach in a subject area with a teacher shortage, as identified by the Arkansas Department of Higher Education in consultation with the Arkansas Department of Education; or
 - b. Teach in a geographic area with a teacher shortage, as identified by the Arkansas Department of Higher Education in consultation with the Arkansas Department of Education;
- IV. Continued Eligibility

Recipients shall re-apply for the STEP program annually and continue to meet the eligibility criteria set forth above. A recipient may receive an annual award for a maximum of three (3) years.

RULE 3 – SELECTION PROCESS

I. Applications

A. Solicitation of Applicants

1. Program information will be mailed to the following:
 - a. K-12 school administrators and other interested personnel,
 - b. Colleges/Schools/Departments of Education,
 - c. Financial Aid Directors/Officers,
 - d. Other college campus personnel, such as advisors, etc. who express an interest in disseminating information to prospective applicants,
 - e. Information is also available upon request from the Arkansas Department of Higher Education.
2. The Arkansas Department of Higher Education staff will disseminate program information through workshops, meetings, press releases, the Departmental newsletter, and other means deemed appropriate.

B. An online application will be available at the ADHE's website. The application deadline shall be stated on the application form each year. The ADHE shall have the authority to extend the deadline as needed to ensure a quality applicant pool so long as sufficient public notice is provided.

C. Upon receipt by ADHE, applications are reviewed to ensure that all pertinent data is included. Each applicant will receive confirmation of the receipt and completeness of the application. For those whose application is either incomplete or ineligible, a notification will be made identifying the reason for incompleteness or ineligibility. The applicant will then have the opportunity to provide the missing information or correct any inaccurate information. Before an applicant can be considered for an award, the corrected/missing information must be received by the ADHE by the deadline indicated in the Incomplete/Ineligible Notice.

II. Selection and Notification of Recipients

- A. The ADHE shall review applicants and select recipients based on the eligibility criteria for the State Teacher Education Program (STEP).
- C. Selected recipients will receive award notices stating their eligibility for the program and the conditions of their award.

V. Ranking of Applicants

Priority for STEP Repayment grants is as follows:

1. First priority is Arkansas teachers teaching in both subject and geographic shortage areas.
2. Second priority is Arkansas teachers teaching in subject shortage areas.
3. Third priority is Arkansas teachers teaching in geographic shortage areas.

III. Disbursement of Award

The award will be disbursed in one (1) disbursement to the federal student loan holder indicated by the applicant. If the award amount is larger than the outstanding loan balance, the award amount will be reduced to the amount of the loan balance.

RULE 4 - LIMITATIONS OF LOAN REPAYMENT

I. The State Teacher Education Program (STEP) shall be used to provide:

- A. A loan repayment for federal student loans in the amount of three thousand dollars (\$3,000) per year for each year a licensed teacher, who graduated from a teacher education program after April 2004, teaches in a public school located in a geographical area of the state designated as having a critical shortage of teachers OR in a subject matter area designated as having a critical shortage of teachers. Total term of federal student loan repayment shall not exceed three years.
- B. An additional loan repayment for federal student loans in the amount of one thousand dollars (\$1,000) per year for each year a licensed minority teacher, who graduated from a teacher education program after April 2004, teaches in a public school located in a geographical area of the state designated as having a critical shortage of teachers and/or in a subject matter area designated as having a critical shortage of teachers in Arkansas. Total term of federal student loan repayment shall not exceed three years.

For guidance purposes, the terms African-American, Hispanic, Asian-American, and Native-American are based on the Race/Ethnic classifications utilized by the Integrated Postsecondary Education Data System (IPEDS) as follows:

- i. African-American = Black/Non-Hispanic: a person having origins in any other black racial groups of Africa
- ii. Hispanic: a person of Mexican, Puerto Rican, Central or South American or other Spanish culture or origin, regardless of race.
- iii. Asian-American = Asian or Pacific Islander: a person having origins in any of the original peoples of the Far East, Southeast
- iv. Native American = American Indian or Alaska Native: a person having origins in any of the original peoples of North America and who maintains cultural identification through tribal affiliation or community recognition.

RULE 5 - RECIPIENT'S RESPONSIBILITY

I. Recipient's Responsibility

It is the recipient's responsibility to notify the Arkansas Department of Higher Education of any change in status within 21 days. This will include:

Change in name;

Change in residence;

Failure to notify the Arkansas Department of Higher Education of a change in status will affect future eligibility or collection status.

RULE 6 - PROGRAM DEFINITIONS

The following definitions are used in the State Teacher Education Program:

Arkansas Resident	to be considered an Arkansas resident by ADHE, an applicant must be an Arkansas resident for twelve (12) months prior to the application deadline for the financial aid program. Further, the recipient may be asked to provide evidence of a permanent connection with the State of Arkansas. ADHE will look to one or more of the following to determine residency in those cases: <ul style="list-style-type: none"> (A) Valid Arkansas Driver's License; (B) Proof of payment for Arkansas personal and/or real taxes for previous year; (C) Proof of Arkansas vehicle registration; (D) Proof of Arkansas voter registration; and
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(E) Other forms of proof of Arkansas residency.

Award Year

The award year begins on July 1 of one calendar year, and extends to June 30 of the next calendar year.

Geographical Areas of the State Designated as Having Critical Shortages of Teachers

Any Arkansas school district designated by the Arkansas Department of Higher Education as having critical teacher shortages.

Lawful Permanent Resident

An individual who can provide documentation from the Immigration and Naturalization Service (INS) that he or she is in the U.S. for other than a temporary purpose with the intention of becoming a citizen or permanent resident. Valid documentation is an I-551, I-151, I-181, I-94, or passport stamped with the notation "Processed for I-551, Temporary Evidence of Lawful Admission for Permanent Residence". A completed Form G-641 can also be used to document permanent resident status.

Subject Matter Designated as Critical Needs in the State of Arkansas

Annually the Arkansas Department of Education certifies subject matter shortage areas based upon the results of surveys obtained from school districts in the state of Arkansas.

Teach on a Full-time Basis

Teach the same number of hours required of teachers who have full-time contracts, as determined by the institution or agency in which an individual is teaching, for a minimum of one academic term, as defined by the institution or agency in which an individual is teaching.

Teacher Education Program

A program of study that has been completed at a college or university and results in the receipt of an initial Arkansas teaching license or an additional licensure area to an existing Arkansas teaching license.

U.S. Citizen

The term "U.S. citizen" includes persons born or who have become naturalized citizens of the 50 States, the District of Columbia, Puerto Rico, the Virgin Islands, Guam, the Northern Mariana Islands, and Trust Territory- Palau. The term "national" includes citizens of American Samoa or Swain's Island.

Student Undergraduate Research Fellowship
RULES AND REGULATIONS

RULE 1 – ORGANIZATION AND STRUCTURE

- I. The Arkansas Department of Higher Education (ADHE) shall administer the Student Undergraduate Research Fellowship (SURF) within the policies set by the Arkansas Higher Education Coordinating Board. All formal communications shall be addressed to or signed by the Director of the Arkansas Department of Higher Education or his/her designee. The Student Undergraduate Research Fellowship Selection Panel shall select recipients for awards.
- II. The Student Undergraduate Research Fellowship Selection Panel shall consist of:
 - A. Faculty or administrators at an Arkansas public or private institution of higher education who have earned a Ph.D. or terminal degree in the discipline to be reviewed.
 - B. Other panel members will be considered who have earned a Ph.D. or terminal degree in the discipline to be reviewed and who have an affiliation with an Arkansas public or private institution of higher education or an education-related entity.
 - C. The Director of the Arkansas Department of Higher Education or his/her designee shall serve as presiding officer of the Student Undergraduate Research Fellowship Selection Panel and shall ensure that staff services for the Panel are provided.
- III. The focus of the Student Undergraduate Research Fellowship is the continued development of undergraduate academic research efforts at Arkansas's public and private institutions of higher education and to provide funding to encourage students to conduct in-depth research projects in specific fields of study under the tutelage of tenured or full-time faculty member. The program is designed to assist all students throughout the state.
- IV. The Director of the Arkansas Department of Higher Education has the final responsibility for selecting fellowship recipients pursuant to the provisions of Act 2124 of 2005 and subsequent legislation, and program rules and regulations.
- V. The Arkansas Department of Higher Education shall follow the provisions of the Administrative Procedures Act when functioning under Act 2124 of 2005 and subsequent legislation.

RULE 2 – FELLOWSHIP ELIGIBILITY CRITERIA

I. Eligibility Criteria

An applicant must meet the following requirements to be eligible to receive the Student Undergraduate Research Fellowship:

- G. The applicant must be a citizen of the United States or a permanent resident alien.
- H. The applicant shall be enrolled in an approved Arkansas institution of higher education as a full-time student, as defined by the Department of Higher Education.
- I. The applicant must be enrolled in a program of study that leads to or is creditable towards a baccalaureate degree. These programs include baccalaureate and associate degree programs.
- J. The applicant must have completed at least 30 semester credit hours before funds are awarded.
- K. The applicant must have a minimum cumulative 3.25 grade point average.
- L. The applicant must have a tenured or full-time faculty member to serve as his/her mentor.

II. Continued Eligibility

A student may compete for additional years, but cannot receive more than three years of funding.

RULE 3 – APPLICATION PROCESS

I. Solicitation of Applicants

The Arkansas Department of Higher Education will disseminate the Student Undergraduate Research Fellowship announcement through workshops, meetings, press releases, ADHE newsletter, ADHE website and other means deemed appropriate.

Student Undergraduate Research Fellowship announcements will be emailed to:

- A. Presidents and Chancellors
- B. Chief Academic Officers

- C. Directors of Research and Sponsored Programs
- D. Previous SURF panel members and mentors
- E. Faculty, administrators, and other interested persons

II. Application

Students must submit an application for the Student Undergraduate Research Fellowship to the Arkansas Department of Higher Education. The Arkansas Department of Higher Education will provide an application on the Department's website. The Arkansas Department of Higher Education will also provide application forms to any individual upon request. The applicant must complete the Student Undergraduate Research Fellowship application to be considered for the fellowship.

III. Submission of Application and Application Deadline

Any interested student who has met the eligibility criteria listed in Rule 2 may apply.

The Arkansas Department of Higher Education shall establish the deadline for receipt of applications each year. The deadline date shall be clearly printed on the application and website.

All applications and supporting documentation must be postmarked by the established deadline date in order to be considered. It is the responsibility of the individual applicant to ensure that the application is postmarked by the deadline date.

*If any deadline date occurs on a weekend or holiday, the deadline will be extended to the following business day.

IV. Application Review Process

- A. The SURF Panel will read and score applications.
- B. SURF Panel members meet at ADHE or another centrally located location to make recommendations for SURF awards based upon the selection criteria listed in Rule 4. The SURF Panel is divided into two groups (STEM and non-STEM). Based upon appropriations, the STEM SURF Panel will award 60% of the funds to STEM applicants; the non-STEM SURF Panel will award 40% of the funds to non-STEM applicants. Should there not be enough qualified applicants in the STEM or Non-STEM group to make recommendations for awards, funds can be shifted from one group to another until all funds are exhausted.

V. Amount of Fellowship

The amount of the fellowship awarded to each recipient shall be as follows:

\$1,250 maximum award Student Stipend*
 \$ 750 maximum award Student Travel
 \$ 750 maximum award Mentor Award
 \$1,250 maximum award Institution Match
 \$4,000 Maximum SURF Award

*Student stipend- Spring only \$ 625 maximum award
 Spring & Summer \$1,250 maximum award
 Spring & Fall \$1,250 maximum award
 Spring, Summer & Fall \$1,250 maximum award

VI. Award Notification

The Arkansas Department of Higher Education shall notify each eligible applicant of his/her award. The award notice includes the student's name, address, faculty mentor's name, institution, and the actual amount the student is eligible to receive. The award notice also explains the Arkansas Department of Higher Education's disbursement procedures and conditions, as detailed in Rule 5.

ADHE shall notify the Presidents/Chancellors, Chief Academic Officers, Offices of Research and Sponsored Programs, and the SURF Panel of SURF awardees.

VII. Ineligible Notification

The Arkansas Department of Higher Education shall notify applicants who are determined to be ineligible and provide the reason for ineligibility.

VIII. No Funds Left Notification

Once all applicants have accepted his/her SURF award and all funds are exhausted, the Arkansas Department of Higher Education shall notify the remaining eligible applicants that all funds have been awarded via a "no award" notice.

RULE 4 – FELLOWSHIP SELECTION CRITERIA

I. All proposals will be reviewed by the Student Undergraduate Research Fellowship Panel that is selected by the Arkansas Department of Higher Education. The SURF Panel will use the following selection criteria for judging proposals.

Grading Criteria	Possible Points	Points Awarded
Student's performance and accomplishments (G.P.A., activities, community service, etc.).	10	
Appropriateness of courses completed for proposed research.	10	
	10	

Mentor's letter of support.		
Two letters of reference.	10	
Mentor has prior experience supervising students in the discipline. (New faculty should be considered, as well as faculty recently beginning involvement in research.)	10	
Appropriateness of proposed mentor's previous experience for the proposed project.	10	
Research/scholarly activity/productivity by the mentor.	10	
The proposed research project. *	30	
TOTAL POINTS AWARDED	100	

*Criteria for the awarding of points vary with the area of the endeavor. Criteria may include:

- ✓ **Feasibility of the project, i.e., is the project reasonable for the proposed student with the available facilities?**
- ✓ Is the proposed research/scholarly activity of value to the field of study?
- ✓ Is the project of sufficient difficulty to challenge the student?
- ✓ **Will the project teach the student skills that are transferable to other research endeavors/ scholarly activities?**
- ✓ Other criteria deemed appropriate by SURF Panel.
- ✓ Is there some justifiable reason to give this proposal consideration because the candidate is from a group under-represented in the area of endeavor such as women and minorities in science, technology, engineering, or mathematics (STEM)?

The SURF Panel shall meet and make recommendation of students to be awarded a SURF fellowship based upon the above selection criteria. Recommendation of awards shall be made until all funds are exhausted. The SURF Panel shall also select alternates to be awarded in the event a student does not accept his/her SURF award.

The Director of the Arkansas Department of Higher Education has the final responsibility for selecting fellowship recipients.

RULE 5 – FELLOWSHIP PAYMENT POLICIES

I. Limits of Payment

I. Disbursement of Fellowships

The Arkansas Department of Higher Education shall disburse fellowship funds to the institution designated on the student's application. The Arkansas Department of Higher Education shall send funds to the Office of Research and Sponsored Programs (ORSP) or Financial Aid Office via electronic funds transfer or state

warrant. Additionally, the ORSP or Financial Aid will be sent an Award Roster and Receipt Confirmation. The Award Roster lists the students to be awarded and the disbursement amounts. The Receipt Confirmation should be signed by the disbursement officer and returned to ADHE. The institution will disburse the grant funds to the student according to the institution's disbursement procedures.

J. Cancellation of the Fellowship

3. The award will be terminated for any of the following reasons:
 - d. Failure to maintain at least a 3.25 cumulative grade point average on a 4.00 scale.
 - e. Failure to maintain satisfactory academic progress as defined by the institution.
 - f. Failure to conduct the research for which the SURF fellowship was awarded.
2. The recipient is responsible for notifying, in writing, the Arkansas Department of Higher Education of any change in status (i.e. change of address, email, transfer of research to another mentor, etc.). Failure to provide written notification may result in the cancellation of the fellowship for that term.

K. Military Service

Recipients who are members of the Arkansas National Guard or Armed Forces Reserve units who are called to active duty for reasons other than regular unit training and are unable to complete the current term will be allowed to repeat the missed term. In addition, they will be placed in deferred status until six months after release from active duty, at which time they must be re-enrolled and continue research with the same mentor.

L. Refunds

The Arkansas Department of Higher Education is entitled to a refund of the fellowship amount, for that semester, if the recipient of a fellowship withdraws, drops out, is expelled, falls below the minimum standards detailed in Rule 2, or does not conduct the research for which the SURF award was made.

RULE 6 – INSTITUTIONAL RESPONSIBILITIES

I. College/University Responsibilities

F. Administrative Agreement

The chief executive officer of the eligible institution is responsible for designating one institutional representative to act as administrator of the Student Undergraduate Research Fellowship and to receive all communications, forms, etc. This representative is responsible for verification, data and compliance with all program rules and regulations. The institution must comply with all rules and regulations in order to maintain continued eligibility status.

The Authorizing Institutional Official ensures that by signing the SURF application that the applicant has met all conditions of the Fellowship Eligibility Criteria in Rule 2.

G. Disbursement Records

The institution shall maintain information on the student indicating disbursement of fellowship funds.

H. Institutional Verification

The institution shall provide certification of full-time enrollment, as of the close of business on the eleventh day of classes. The institution must comply with OMB Circular A21 (Cost Principles for Educational Institutions) and OMB Circular A110 (Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals, and other Non-Profit Organizations) when managing SURF funds. Each institution shall establish a separate account for each student awarded a SURF fellowship.

Each Department\Division\Dean\Chair is responsible for ensuring that the student and mentor are conducting research as set forth in the Student Undergraduate Research Fellowship proposal submitted to the Arkansas Department of Higher Education.

I. Deadlines for Disbursement of Funds & Refunds

Funds shall be disbursed to students and mentors in accordance with the institution's disbursement procedures according to OMB Circular A21 and OMB Circular A110. Any outstanding funds not disbursed by the end of the semester must be returned to ADHE within 15 days of the semester's end.

The Arkansas Department of Higher Education is entitled to a refund of the fellowship amount, for that semester, if the recipient of a fellowship withdraws, drops out, is expelled or does not conduct the research for which the SURF award was made. The Institutional Representative is responsible for issuing a refund to ADHE within 15 days of the semester's end.

J. Due Diligence

The institution will exercise due diligence in providing complete, accurate, and timely information as requested by the Arkansas Department of Higher Education on any Student Undergraduate Research Fellowship recipient or former recipient. In addition, the institution will exercise due diligence in complying with all the rules and regulations of the Student Undergraduate Research Fellowship Program. The Arkansas Department of Higher Education shall periodically review the SURF program.

RULE 7 – FELLOWSHIP RECIPIENT’S RESPONSIBILITIES

- I. It is the recipient's responsibility to notify the Arkansas Department of Higher Education, in writing, of any change in status (i.e. change of address, email, transfer of research to another mentor, etc.). Failure to provide written notification may result in the cancellation of the fellowship for that term.

Change in the research project is not allowed for the Student Undergraduate Research Fellowship.

- II. Fellowship recipient is required to submit a one page abstract on the findings of his/her research upon completion of the project to the Arkansas Department of Higher Education as follows:

May 1	Spring term project completion
August 1	Summer term project completion
December 1	Fall term project completion

- III. Fellowship recipients are required to present the findings of his/her research at a state or national conference in his/her discipline or attend a meeting of experts in his/her discipline as directed by his/her mentor.

Failure by a fellowship recipient to comply with any of the above may result in forfeiture of his/her SURF fellowship funds.

RULE 8 – PROGRAM DEFINITIONS

The following definitions are used in the Student Undergraduate Research Fellowship Program:

APPROVED INSTITUTION a public-supported or private, non-profit postsecondary institution with its primary headquarters located in Arkansas that is eligible to receive Title IV Federal student aid funds.

CITIZEN a person who is a U.S. citizen or a permanent resident alien. If the recipient is not a U.S. citizen, but a permanent resident alien, the recipient must attach a copy of the permanent resident alien card to the application.

ELIGIBLE APPLICANT	any applicant who meets the eligibility criteria established in Rule 2.
FELLOWSHIP	an amount of money given to a student for a specified period of time that allows them to study and research a subject.
FULL-TIME STUDENT	12 semester credit hours or its equivalent per semester.
INSTITUTIONAL MATCH	amount of funds the institution must match the student's stipend.
OMB Circular A110	sets forth the uniform administrative requirements for grants and agreements with institutions of higher education, hospitals, and other non-profit organizations.
OMB Circular A21	sets forth the rules governing the eligibility and calculation of costs in support of sponsored research, development, training and other works produced in agreement with the United States Federal Government, but does not attempt to identify or dictate agency or institutional participation in those works.
MENTOR	tenured or full-time faculty member.
MENTOR COST	salary, fringe benefits, materials, supplies and travel costs awarded to the mentor associated with mentoring the student.
SEMESTER	Spring, Summer or Fall terms.
STUDENT STIPEND	an amount of money awarded to the student to conduct his/her research.
STUDENT TRAVEL	cost incurred by student to present the results of his/her research at a state or national conference or to attend a meeting of experts in his/her discipline.
SURF PANEL	shall consist of faculty or administrators of Arkansas public or private institution of higher education who have earned a Ph.D. or terminal degree in the discipline to be reviewed. Other reviewers will be considered who have earned a Ph.D. or terminal degree in the discipline to be reviewed and who have an affiliation with an Arkansas public or private institution of higher education or an education-related entity.

Citation: [6-81-801-809](#), [Act 978 of 2015](#)

SECTION 5: APPENDIX

6-61-215. Student fees.

In order to promote a coordinated system of higher education in Arkansas and to assure an orderly and effective development of each of the publicly supported institutions of higher education, the Arkansas Higher Education Coordinating Board shall have the power and duty to establish the level of student fees for funding purposes for both in-state and out-of-state students for all public institutions of higher learning in the state. The level of fees shall be determined after careful study of fees charged in other states in similar institutions.

HISTORY: Acts 1977, No. 560, § 4; A.S.A. 1947, § 80-4904.

6-61-202. Powers and duties generally.

(a) In order to promote a coordinated system of higher education in Arkansas and to assure an orderly and effective development of each of the publicly supported institutions of higher education, the Arkansas Higher Education Coordinating Board shall have the following powers and duties:

(1) (A) To receive within one (1) year of their appointment and each year thereafter a minimum of eight (8) clock hours of instruction and training, to include higher education issues, policies, laws, and the duties and responsibilities associated with the position of board member.

(B) The members of the boards of all publicly supported institutions of higher education shall receive similar instruction and training within one (1) year of their appointment or election and each year thereafter, which shall be conducted by the individual institutions;

(2) Along with its director, to be responsible, within fiscal and staff capabilities, for directing an integrated program for defining, popularizing, and securing acceptance of the major goals and objectives of higher education in Arkansas and for relating them to the state's various problems;

(3) To request and receive any information from the publicly supported institutions of higher education as the board deems necessary for the performance of its duties;

(4) To promulgate and adopt uniform definitions and forms in such matters as financial reporting, academic statistics, and resident status of students for use in making financial recommendations and standard enrollment data to be followed by the institutions of higher learning;

(5) To determine the need for and recommend to the Governor and the General Assembly the establishment and location of any new institutions and to recommend, when appropriate, changes in the names of existing state-supported institutions of higher learning;

(6) To recommend the level of funding and the method of distribution of state-supported scholarships and loan programs, and to seek the cooperation of the state-supported institutions of higher learning to develop policies to coordinate all student loan and scholarship programs, including those federally financed; and

(7) To review all proposed bond issues to be made by any public institution of higher learning and to advise the board of trustees of each of the respective institutions as to the economic feasibility thereof, as set forth in § 6-62-306.

(b) The board shall encourage the cooperation of private institutions of higher learning in its efforts to plan more effectively for the coordinated development of higher education in this state.

HISTORY: Acts 1977, No. 560, §§ 4, 24; 1979, No. 820, § 1; A.S.A. 1947, §§ 80-4904, 80-4924; Acts 1993, No. 1171, § 1.

6-61-203. Director and staff -- Funds -- Central office.

(a) (1) (A) The Arkansas Higher Education Coordinating Board shall appoint a director through a search and selection process that includes substantial input, review, and recommendation from the Presidents Council, subject to confirmation by the Governor.

(B) The director shall serve at the pleasure of the Governor.

(2) The director shall serve as a member of the Governor's cabinet as the advocate for higher education.

(3) (A) The director and other staff employed by the board shall demonstrate competence in the field of institutional management or agency management, institutional finance, financial aid, or institutional research.

(B) The director shall exhibit advanced coordination and communication skills.

(b) The salary of the director and other members of the staff employed by the board shall be comparable to the positions requiring similar qualifications and experience.

(c) The staff of the board shall be under the direction and supervision of the director.

(d) The board shall be provided sufficient operating funds to enable it to carry out adequately the programs and functions assigned to the Department of Higher Education.

(e) The central office of the department shall be maintained in Little Rock.

(f) (1) The board shall evaluate the director annually.

(2) The council shall provide an evaluation report of the department and the director to the board at least annually.

HISTORY: Acts 1977, No. 560, § 23; A.S.A. 1947, § 80-4923; Acts 1997, No. 1114, § 3; 2013, No. 533, § 1.

6-61-204. Advisory committees and councils.

(a) The Arkansas Higher Education Coordinating Board and the Presidents Council are authorized to establish advisory committees and councils as may be deemed necessary for the effective development and coordination of higher education in this state.

(b) (1) The Presidents Council shall be composed of all presidents and chancellors of public two-year and four-year colleges and universities.

(2) The Presidents Council shall meet at least quarterly.

(3) The Presidents Council shall serve in a strong advisory capacity to the director and to the board.

(4) All board items must be reviewed by the Presidents Council prior to being placed on the board's agenda.

(c) (1) (A) There is created the Executive Council, which shall be selected by the Presidents Council from its membership.

(B) The Executive Council shall consist of four (4) members from two-year campuses and four (4) members from four-year campuses.

(2) Executive Council members shall serve for staggered terms of two (2) years.

(3) The Executive Council shall elect officers as it deems necessary.

(4) The Executive Council shall meet at least monthly, or more frequently as needed, with the director and senior staff.

(5) (A) All items to be considered as board agenda items must be reviewed by the Executive Council before being placed on any board agenda.

(B) In the event that the director and staff shall not be in agreement with the Executive Council on a matter to be considered by the board, the Executive Council's recommendation will be placed on the board agenda automatically for a presentation and explanation of the Executive Council's position. The board will then make a decision based on both positions.

(d) (1) (A) A working committee structure shall be established involving the Presidents Council or its designees.

(B) Examples of possible committees include but are not limited to accountability, graduate studies, undergraduate studies, workforce development, continuing education, and financial and funding.

(2) The committees shall make recommendations to the Presidents Council and the director when policy or funding issues are to be decided.

(3) The Department of Higher Education employees shall staff each committee.

HISTORY: Acts 1977, No. 560, § 24; A.S.A. 1947, § 80-4924; Acts 1997, No. 1114, § 4.

6-61-205. Master plan.

(a) In order to promote a coordinated system of higher education in Arkansas and to assure an orderly and effective development of each of the publicly supported institutions of higher education, the Arkansas Higher Education Coordinating Board shall have the power and duty to accept responsibility for continuous master planning.

(b) The board shall involve a broadly representative advisory committee in the development of a comprehensive master plan for all of postsecondary education and shall continually use the committee to keep the master plan updated.

(c) This plan shall include all senior colleges and universities which are state supported, community colleges, branches of state-supported institutions, independent or private colleges and universities, proprietary institutions, and postsecondary efforts of area vocational-technical schools.

(d) Broad citizen participation shall be sought by the board in the development of this plan.

HISTORY: Acts 1977, No. 560, § 4; 1979, No. 820, § 1; A.S.A. 1947, § 80-4904.

6-60-303. Higher Education Tuition Adjustment Fund.

(a) Higher Education Tuition Adjustment Fund.

(1) The Higher Education Tuition Adjustment Fund is hereby created upon the books of the Treasurer of State, the Auditor of State, and the Chief Fiscal Officer of the State.

(2) The fund shall consist of those revenues that are allocated to it by law.

(b) Purpose of the Fund.

(1) It is the intent of the General Assembly that this fund ensure that bona fide Arkansas income taxpayers and their dependents who are residents of a bordering state in a contiguous county to the Arkansas state line which is

contiguous to a county where an institution of higher education is located receive the same higher education opportunities as all other taxpayers.

(2) In establishing this policy, it is the intent of the General Assembly that taxpayers should have affordable access to the state's higher education institutions.

(c) Tracking and Reporting.

(1) Furthermore, the Department of Higher Education will require each institution to track and report the number of qualifying students each year.

(2) (A) A list of students who benefit from the out-of-state tuition waiver, including their social security numbers or their Arkansas taxpaying parents' or guardians' names and social security numbers, will be furnished by the Department of Higher Education to the Department of Finance and Administration for confirmation that they or their parents are employed in Arkansas at a wage in excess of five thousand five hundred dollars (\$ 5,500) per annum.

(B) Documentation should be either an official W-2 form from an Arkansas employer reflecting wages of at least five thousand five hundred dollars (\$ 5,500) in the tax year prior to enrollment in college or official employer verification of a current year salary minimum of at least five thousand five hundred dollars (\$ 5,500), which the college will keep on file for enrollment audit purposes.

(d) Appropriation Transfer Procedures.

(1) The Director of the Department of Higher Education shall determine the difference between the amount of tuition revenue which would have been generated by charging the Arkansas Higher Education Coordinating Board-approved out-of-state tuition rate to the students as compared to the approved in-state or out-of-district rate.

(2) Upon the determination, the director shall certify to the Chief Fiscal Officer of the State and the Treasurer of State those amounts that are required to be transferred from the fund.

(3) Upon receiving the certification, the Chief Fiscal Officer of the State and the Treasurer of State shall cause to be transferred the necessary funds and appropriation to the fund account of the institution receiving certification from the director.

(4) In order to provide funding for the appropriation set out in the line item entitled Tuition Adjustment in the biennial operations appropriation act for the Department of Higher Education, the Chief Fiscal Officer of the State shall transfer to the Higher Education Tuition Adjustment Fund from the Higher Education Grants Fund Account three hundred fifty thousand dollars (\$ 350,000) for each year of the biennium.

HISTORY: Acts 1997, No. 1211, § 28; 2001, No. 1612, § 32.

26-51-1102. Credit granted.

(a) (1) There is granted a credit against a taxpayer's Arkansas corporate income tax or Arkansas individual income tax for donations by any taxpayer of new machinery or equipment and for sales below cost of machinery and equipment by taxpayers to qualified educational institutions in connection with a qualified education program or a qualified research program.

(2) The amount of the credit granted by this section shall be:

(A) In the case of a donation, thirty-three percent (33%) of the cost of the machinery and equipment donated; and

(B) In the case of a sale below cost, thirty-three (33%) of the amount by which the cost is reduced.

(b) There is granted a credit against a taxpayer's Arkansas corporate income tax or Arkansas individual income tax equal to thirty-three percent (33%) of the qualified research expenditures of a taxpayer in qualified research programs.

(c) (1) There is granted a credit against a taxpayer's Arkansas corporate income tax or Arkansas individual income tax equal to thirty-three percent (33%) of a donation made to an accredited institution of higher education to support a research park authority.

(2) In order to claim this credit authorized by subdivision (c)(1) of this section, a donation made in support of a research park authority shall:

(A) Be consistent with the research and development plan approved by the Board of Directors of the Arkansas Science and Technology Authority, as evidenced by a letter of support from the President of the Arkansas Science and Technology Authority; and

(B) Support either directly or indirectly research subject to being funded by one (1) or more federal agencies, as enumerated in § 15-3-205(1).

HISTORY: Acts 1985, No. 469, §§ 2, 3; 1985, No. 759, §§ 2, 3; A.S.A. 1947, §§ 84-2021.32, 84-2021.33; Acts 2007, No. 1045, § 3.

6-62-106. Uniform reporting of athletic expenditures.

(a) The Arkansas Higher Education Coordinating Board, with the assistance of the Division of Legislative Audit, is authorized and directed to establish uniform reporting and auditing to report athletic costs and revenues of each state-supported institution of higher education.

(b) Such reports shall be subject to annual review by the Legislative Joint Auditing Committee and shall be made public by the board.

(c) The uniform report shall include the following definitions:

(1) "Athletic expenditures" means all direct and indirect expenses, prorated if necessary, including salaries, all fringe benefits such as medical and dental insurance, workers' compensation, pension plans, tuition waivers, and any other costs associated with recruitment and retention of staff, travel, equipment, scholarships, meals, housing or dormitory, supplies, property and medical insurance, medical expenses, utilities, and maintenance of facilities related to all intercollegiate teams and spirit groups excluding bands; and

(2) "Income" means all direct income from gate receipts, revenues from related concession sales, advertising and media revenue, gifts from private donors, deposited and expensed by the athletic account, and any fees in addition to regular tuition and fees paid by students as approved for support of the intercollegiate athletic program pursuant to procedures prescribed by the board, and all transfers from other funds or accounts.

(d) The board shall report to the Legislative Council or the Joint Budget Committee the failure of an institution to report athletic costs and revenue utilizing the uniform report required by this section.

(e) All state-supported institutions of higher education shall report athletic costs and revenues utilizing the uniform report developed by the board by October 1 of each year.

(f) The board shall compile the reports and make them available to the Legislative Joint Auditing Committee and the public by November 1 of each year.

HISTORY: Acts 1989, No. 245, §§ 1, 2.

6-62-805. Certification by board of trustees.

The board of trustees of each institution shall certify annually by June 15 of each year to the Arkansas Higher Education Coordinating Board:

(1) That the intercollegiate athletic program will generate sufficient revenue through athletic-generated revenue, other auxiliary profits, other coordinating board-approved revenue sources, and the allowable state support as set out in § 6-62-803; or

(2) That any athletic deficit will be met by separate institutional board-sanctioned student athletic fees within the limitations established in this subchapter.

HISTORY: Acts 1991, No. 366, § 5.

6-61-222. Uniform reporting standards.

(a) (1) The Arkansas Higher Education Coordinating Board is authorized and directed to establish uniform reporting standards to report biennially all current funds' revenues and expenditures associated with each academic department and, within each department, with the academic programs offered at each state-supported institution of higher education.

(2) Such reports shall be subject to biennial review by the board and House Committee on Education and the Senate Committee on Education.

(3) The reports shall be predicated on the following definitions:

(A) "Academic department" means each organizational and budgetary unit associated with the delivery of instruction, research, and public service activities;

(B) "Academic program" means any program of study leading to a degree or certificate and any other program as defined by the Department of Higher Education;

(C) "Academic department and program revenues" shall include tuition and fees, both undergraduate and graduate, endowments, gifts and grants, sponsored research, and all other revenues associated with each academic department and with specific academic programs;

(D) (i) "Academic department and program expenditures" shall include all direct and prorated indirect expenses.

(ii) Direct expenses include faculty salaries, staff salaries, fringe benefits, scholarships and fellowships, graduate stipends and graduate assistant tuition, student labor, materials and supplies, equipment, travel, and telephone.

(iii) Indirect expenses include central administrative management, institution-wide services, departmental administration, student services, research, indirect cost recovery, public services and information, financial aid, plant operations and maintenance, utilities, debt service, nonmandatory transfers, and all other indirect expenses.

(iv) Total academic department and program expenditures should equal the current funds' expenditures as reported in the institution's financial statement;

(E) "State subsidy" means that within each academic department, any difference between academic program revenues and academic program expenditures shall be determined to be the "state subsidy" of that academic program; and

(F) "Productivity by academic program" means the number of declared majors, the number of undergraduate

and graduate student semester credit hours produced, and the number of degrees and certificates conferred in each program.

(4) The board is authorized to promulgate any rules or regulations necessary for the implementation of this section and shall report to the House Committee on Education and the Senate Committee on Education the failure of an institution to comply with the provisions of this section.

(b) (1) By September 15 of each year, all state-supported institutions of higher education shall report academic department and program revenues, expenditures, and productivity utilizing the uniform report established by the board.

(2) The academic department and program report shall identify undergraduate and graduate programs that produce fewer graduates than are required to meet the degree productivity standards set by the board.

(3) The board shall review the institutional reports and submit them to the House Committee on Education and the Senate Committee on Education by January 15 of each odd-numbered year.

(c) The board is further authorized and directed to establish uniform reporting standards to report any other information that may be required to meet any other state or federal statutory or regulatory requirements.

(d) The report required under this section shall be separate from the cost-of-remediation reports required under § 6-61-221.

HISTORY: Acts 1993, No. 376, §§ 1, 2; 1993, No. 537, §§ 1, 2; 1995, No. 392, § 1; 1997, No. 112, §§ 15, 16; 1999, No. 523, § 1; 2011, No. 696, § 3.

6-50-504. Demonstration programs.

(a) The Department of Career Education shall implement during the 1991-1993 biennium at least five (5) demonstration youth apprenticeship programs.

(b) In designing and implementing these programs, the department shall require the selected demonstration projects to make a five-year commitment to the program's effective implementation and to match state funding with commitments from local participants, including employers and unions, high schools, technical institutes or vocational-technical schools, community colleges, technical colleges, and other appropriate entities.

(c) State funding for the demonstration projects shall be from funds appropriated by the General Assembly to the department for that purpose.

(d) The State Board of Career Education shall be the sole state agency to award funding for the demonstration youth apprenticeship programs established and authorized by this subchapter.

HISTORY: Acts 1991, No. 546, § 1; 1991, No. 553, § 1; 1991, No. 1244, § 28; 1991, No. 1246, § 3; 1999, No. 1323, § 30.

6-62-701. Title.

This subchapter may be referred to and cited as the "Arkansas College Savings Bond Act of 1989".

HISTORY: Acts 1989, No. 683, § 1.

6-62-702. Legislative findings and declaration of public necessity.

The General Assembly hereby finds:

(1) The availability of higher educational opportunities for families in the state with school-age children has become increasingly necessary in order to preserve and protect the health, welfare, and prosperity of the state and its citizens and the increasing competitiveness and technological sophistication of today's products, services, and markets and the growing importance of our dynamic economy requires a highly educated and well-trained work force in order for the state to preserve, protect, and promote employment opportunities;

(2) A strong system of higher education has been and will continue to be not only a wellspring for the enhancement of the state's cultural well-being, but also a substantial contributing factor to the growth of the state's economy by stimulating the development of new products and services, and the ability of families who are residents of the state to provide the means to afford the cost of higher education for the children in the family is a matter of highest concern to those families;

(3) The state has made a substantial investment in higher education through direct support of public higher education through appropriations, grants, subsidies, and loans, through support of student assistance, and its citizens, and through charitable and philanthropic support to public and private institutions of higher education from individuals and organizations within the state. As a result of this investment, the state has a major financial interest in assisting families in providing themselves with the means to bear the cost of higher education;

(4) In recent years tuition and other costs such as required fees and charges, room and board, and similar expenses have increased at rates in excess of the average inflation rate, while available sources of student assistance have not kept pace with those costs. Families have not found convenient and simple methods to make secure investments which meet the rising cost of higher education. The state would benefit from a program which would decrease families' reliance on borrowed funds and increase their opportunity to invest and save to meet college expenses;

(5) There is a growing need for the state to undertake projects to renew and expand the state's higher education facilities and physical plant, including the construction, repair, expansion, and renewal of various education facilities, and to provide for the acquisition of teaching and research equipment and library assets;

(6) As a consequence of the importance to the state in providing an appropriate vehicle for state residents in which to invest for the cost of higher education at a time when there is a present and growing need for the state to finance major improvements for its state institutions of higher education, an opportunity exists to address those combined and interrelated objectives of the state through a program which provides for the financing of a portion of the state institutions' higher education needs through a financing program also designed to meet the needs of families who desire a suitable investment to provide against the rising cost of higher education; and

(7) The General Assembly therefore finds that the public policies and responsibilities of the state as set out in this section cannot be fully obtained without the use of public financing and that such public financing can only be provided by the adoption of this subchapter by the General Assembly and its approval by the electors of the state.

HISTORY: Acts 1989, No. 683, § 2.

6-62-703. Definitions.

In this subchapter, unless the context otherwise requires:

- (1) "Authority" means the Arkansas Development Finance Authority;
- (2) "Cost of higher education" shall include, but not be limited to, the cost of tuition, room and board related to instruction, books, laboratory materials, tools, and other supplies necessary and related to a course of instruction at an institution of higher education;
- (3) "Debt service" means principal, interest, and redemption premiums, if any, and trustees' and paying agents' and like servicing fees relative to the bonds;
- (4) "Develop" means to construct, acquire by purchase or, as set forth herein, by eminent domain, install or equip

any lands, buildings, improvements, machinery, equipment, or other properties of whatever nature, real, personal, or mixed;

(5) "Institution of higher education" means any public university, college, technical college, and community college now or hereafter established or authorized by the General Assembly or any nonpublicly supported not-for-profit college or university;

(6) "Person" means any individual, partnership, or corporation, or any county, municipality, or school district of the State of Arkansas, or agency thereof, or any agency of the State of Arkansas;

(7) "Project" means any lands, buildings, improvements, machinery, equipment, or other property, real, personal, or mixed, or any combination thereof, developed in pursuance of all or any of the purposes of this subchapter;

(8) "Project costs" means all or any part of the costs of developing any project hereunder, costs incidental or appropriate thereto, and costs incidental or appropriate to the financing thereof, including, without limitation, capitalized interest, appropriate reserves and fees and costs for engineering, legal, and other administrative and consultant services;

(9) "State" means the State of Arkansas;

(10) "State board" means the Arkansas Higher Education Coordinating Board; and

(11) "State institution of higher education" means any public university, college, technical college, and community college now or hereafter established or authorized by the General Assembly.

HISTORY: Acts 1989, No. 683, § 4; 1991, No. 102, §§ 2, 3; 1993, No. 171, § 1.

6-62-704. Construction.

(a) This subchapter shall be liberally construed to accomplish the purposes hereof. This subchapter shall constitute the sole authority necessary to accomplish the purposes hereof, and to this end it shall not be necessary that the provisions of other laws pertaining to the development of public facilities and properties and the financing thereof be complied with.

(b) This subchapter shall be interpreted to supplement existing laws conferring rights and powers upon the Arkansas Development Finance Authority and the Arkansas Higher Education Coordinating Board, and the rights and powers set forth herein shall be regarded as alternative methods for the accomplishment of the purposes of this subchapter.

HISTORY: Acts 1989, No. 683, § 27.

6-62-705. Power and duties of Arkansas Development Finance Authority and Arkansas Higher Education Coordinating Board.

(a) The Arkansas Development Finance Authority and the Arkansas Higher Education Coordinating Board, jointly, in addition to powers conferred under other laws, shall have the power under this subchapter to:

(1) Provide loans from bond proceeds to state institutions of higher education, including technical colleges, community colleges, or agencies and instrumentalities of the state for payment of project costs;

(2) Construct or cause to be constructed with proceeds of the bonds or loans by the authority and the state board, lease as lessee, and in any manner acquire, own, hold, maintain, operate, sell, dispose of, lease as lessor, exchange, mortgage, or lend with respect to all or any part of any project;

(3) Acquire, own, hold, use, exercise, sell, mortgage, pledge, hypothecate, and in any manner to dispose of franchises, rights, privileges, licenses, rights-of-way, and easements necessary, useful, or appropriate for the exercise of the powers or implementation or the purposes set forth in this subchapter;

(4) Sell and convey, mortgage, pledge, lease as lessor, and otherwise dispose of all or any part of any project or other properties, tangible or intangible, including, without limitation, franchises, rights, privileges, licenses, rights-of-way, and easements;

(5) Have and exercise the right of eminent domain for the purpose of acquiring lands, the fee title thereto or any easement, right-of-way, or other interest or estate therein, for projects or portions thereof, by the procedure now provided for condemnation by railroads by §§ 18-15-1201 -- 18-15-1207;

(6) Make or accept gifts or grants of moneys, services, franchises, rights, privileges, licenses, rights-of-way, easements, or other property, real or personal or mixed;

(7) Make any and all contracts necessary or convenient for the exercise of the powers or implementation of the purposes set forth in this subchapter;

(8) Fix, regulate, and collect rates, fees, rents, or other charges for the use of any properties or services furnished by the authority or the state board;

(9) Require audits of any or all accounts related to construction, operation, or maintenance of any project funded by this subchapter;

(10) Take reasonable actions necessary to ensure that debt service requirements are met; and

(11) Take such other action as may be appropriate to accomplish the purposes of this subchapter.

(b) The state board and the authority are authorized to promulgate rules and regulations with respect to their powers and duties pursuant to this subchapter.

HISTORY: Acts 1989, No. 683, §§ 14, 25; 1993, No. 171, § 2.

6-62-706. Financial resources or financial aid or assistance.

(a) The Arkansas Development Finance Authority, with the assistance of the Arkansas Higher Education Coordinating Board, shall develop and implement an educational program with marketing strategies designed to inform parents of the options available for financing a college education and the need to accumulate financial resources necessary to pay for a college education.

(b) In evaluating the financial situation of a student, proceeds of bonds or accumulated bonds and interest in an amount not in excess of five thousand dollars (\$ 5,000) annually for undergraduate students, and not in excess of seven thousand five hundred dollars (\$ 7,500) for postgraduate students shall not be deemed a financial resource of or a form of financial aid or assistance to such student, for the purposes of determining the eligibility of such student for any scholarship, grant, or monetary assistance awarded by the state or any agency thereof, nor shall such annual amounts of proceeds of any bond or accumulated bonds and interest provided for a qualified student under this subchapter reduce the amount of any scholarship, grant, or monetary assistance that such student is entitled to be awarded by the state or any agency thereof in accordance with the provisions of any other section of this subchapter or any other law of this state.

HISTORY: Acts 1989, No. 683, §§ 23, 24.

6-62-707. Bonds -- Authorization -- Amount outstanding.

The Arkansas Development Finance Authority, the "authority", on behalf of the State of Arkansas is hereby authorized to issue bonds and to have bonds outstanding which shall be general obligations of the State of Arkansas, to be known as Arkansas college savings general obligation bonds, the "bonds", in the total principal amount of not exceeding three hundred million dollars (\$ 300,000,000), for the purposes set forth herein.

HISTORY: Acts 1989, No. 683, §§ 3(a), 20; 1991, No. 102, § 1.

6-62-708. Bonds -- Principal amount.

The total principal amount of bonds to be issued during any fiscal biennium shall not exceed three hundred million dollars (\$ 300,000,000), nor shall the principal amount of bonds outstanding at any time have debt service requirements in excess of twenty-four million dollars (\$ 24,000,000) in any one (1) fiscal year from all sources.

HISTORY: Acts 1989, No. 683, § 3(b); 1991, No. 102, § 1; 1995, No. 1167, § 5; 1997, No. 342, § 43; 1997, No. 1211, § 32.

6-62-709. Bonds -- Issuance -- Duties of Arkansas Higher Education Coordinating Board and Arkansas Development Finance Authority.

(a) Provided further that, before any bonds may be issued during any fiscal biennium, the Arkansas Higher Education Coordinating Board shall submit to the Governor a written plan for projects to be performed with the proceeds derived from the sale of such bonds, the need for, the estimated benefits thereof, and the anticipated debt service requirements. None of the proceeds from the issuance of the bonds as authorized herein shall be used for athletic facilities.

(b) Upon receipt thereof, the Governor shall confer with the Chief Fiscal Officer of the State concerning the amount available in the state General Improvement Fund, which such funds shall be used to defray said debt service requirements in such amounts as are determined to be available. The Chief Fiscal Officer of the State shall then determine whether the annual amount of general revenue funds required to be set aside from the net general revenue as such term is defined in the Revenue Stabilization Law, § 19-5-101 et seq., for payment of the remaining debt service requirements in connection with the bonds during either year of the fiscal biennium in which the bonds are to be issued, would work undue hardship upon any agency or program supported from general revenues under the provisions of the Revenue Stabilization Law, § 19-5-101 et seq.

(c) In connection with its duties and powers hereunder, the Arkansas Development Finance Authority shall have the following responsibilities:

(1) To make recommendations to the Governor and the Chief Fiscal Officer of the State regarding the marketing of the bonds to ensure, to the extent possible, their broad distribution throughout the state for educational purposes;

(2) To advise the Governor and the Chief Fiscal Officer of the State on an effective advertising campaign to inform the general public about the bonds and their availability;

(3) To advise the Governor and the Chief Fiscal Officer of the State regarding the increments in which to market the bonds and recommend maturity dates which will make funds available to purchasers at a time when such funds are needed for educational purposes;

(4) To advise the Governor and the Chief Fiscal Officer of the State regarding additional financial incentives as provided in this subchapter;

(5) To advise the Governor and the Chief Fiscal Officer of the State on the minimum denominations to market the bonds so that they are affordable by individuals;

(6) To evaluate the feasibility of staggered or periodic forms of payment for bonds, and to advise the Governor and Chief Fiscal Officer of the State regarding such evaluation;

(7) After the initial sale of bonds, to assess the effectiveness of the program and recommend constructive changes to the Governor and the Chief Fiscal Officer of the State regarding future bond sales; and

(8) To study and review alternative investment instruments with respect to their suitability for a college savings

program.

(d) Upon conclusion of such studies, the Governor shall, if he or she deems the same to be in the public interest, by proclamation, authorize the state board and the authority to proceed with the issuance of the bonds as provided herein.

(e) If the Governor shall decline or refuse to give his or her approval for the issuance of such bonds, and shall decline to issue a proclamation approving the issuance thereof, the Governor shall promptly notify the state board and the authority, in writing, and the authority shall not issue such bonds, but the state board may resubmit a request to the Governor for the issuance thereof within one (1) year from the date of notice of the Governor's refusal to grant approval for the issuance thereof.

(f) The issue as resubmitted to the Governor shall be dealt with in the same manner as provided for the initial request for authority to issue the bonds.

HISTORY: Acts 1989, No. 683, § 3; 1991, No. 102, § 1.

6-62-710. Bonds -- Financial incentives.

(a) The proceedings of the Arkansas Higher Education Coordinating Board, the Arkansas Development Finance Authority and the Governor authorizing the issuance of bonds may also provide for additional financial incentives to be provided to holders of such bonds to encourage the enrollment of students at institutions of higher education located within the state.

(b) (1) Such financial incentives shall be in the form as recommended by the state board and approved by the Governor and Chief Fiscal Officer of the State at the time of the authorization of such bonds and may include, among others, supplemental payments to the holders of such bonds at maturity when such proceeds are to be applied to the cost of higher education as defined in § 6-62-703(2) at an institution of higher education located within the state.

(2) Such financial incentives shall be provided only if, in the sole judgment of the Governor and the Chief Fiscal Officer of the State that the cost of such incentives shall not cause the cost to the state of the proceeds of the bonds being sold to be increased by more than one-half of one percent (0.5%).

(c) No such financial incentives shall be paid to assist in the financing of an education of a student:

(1) In a school or department of divinity for any religious denomination; or

(2) Pursuing a course of study consisting of training to become a minister, priest, rabbi, or professional person in the field of religion.

HISTORY: Acts 1989, No. 683, § 19.

6-62-711. Bonds -- Purposes.

Bonds issued under this subchapter shall be issued for the purpose of financing the development of higher education projects at state institutions of higher education, and the proceeds of any bonds issued under this subchapter shall be applied for the payment of project costs or the refunding of bonds outstanding as authorized in §§ 6-62-709(b) and (c) and 6-62-715.

HISTORY: Acts 1989, No. 683, § 6.

6-62-712. Bonds -- Terms and conditions generally.

The bonds:

(1) May be issued in the form of coupon bonds, payable to bearer, or as bonds registered as to principal only with interest coupons, or as bonds registered as to both principal and interest without coupons;

(2) May be in such denominations;

(3) May be made exchangeable for bonds of another form or denomination, bearing the same rate of interest and date of maturity;

(4) May be made payable as to principal and interest at such places within or without the state;

(5) May be made subject to redemption prior to maturity in such manner and for such redemption prices; and

(6) May contain such other terms and conditions all as the Arkansas Development Finance Authority shall determine.

HISTORY: Acts 1989, No. 683, § 5.

6-62-713. Bonds -- Terms and conditions -- Series bonds.

(a) The bonds shall be issued whether or not the interest is subject to federal income taxation, in series, as set forth herein, in amounts sufficient to finance all or any part of project costs with the respective series to be designated in alphabetical order or by the year in which issued.

(b) The bonds of each series shall:

(1) Have such date as the Arkansas Development Finance Authority shall determine and shall mature semiannually or annually, or be subject to mandatory sinking fund redemption, over a period ending not later than thirty (30) years after the date of the bonds of each series so as to provide annual debt service of approximately equal amounts insofar as practicable each year throughout the term of the bonds, as determined by the authority. Pending the issuance of bonds hereunder, the authority may issue temporary notes, to be exchanged for or paid from the proceeds of bonds at such times as bonds may be issued;

(2) Bear interest at the rate or rates accepted by the authority at the sale of the bonds. Interest shall be payable at such times and in such manner as the authority shall determine, including the utilization of zero coupon or capital appreciation bonds; and

(3) Have all the qualities of negotiable instruments under the laws of the State of Arkansas, subject to the provisions regarding registration of ownership set forth above.

HISTORY: Acts 1989, No. 683, § 5.

6-62-714. Bonds -- Resolution or trust indenture -- Selection of projects.

(a) All bonds issued hereunder shall be authorized by resolution of the Arkansas Development Finance Authority. Each such resolution shall contain such terms, covenants, and conditions as are deemed desirable, including, without limitation, those pertaining to the establishment and maintenance of funds and accounts, to the deposit and investment of revenues and of bond proceeds, and to the rights and obligations of the state, its officers and officials, the authority, and the holders and registered owners of the bonds. All bonds issued under this subchapter shall be on a parity as to security. The resolution of the authority may provide for the execution and delivery by the authority of a trust indenture or trust indentures, with a bank or banks located within or without the state, containing any of the terms, covenants, and conditions referred to above, which trust indenture or trust indentures shall be binding upon the state and its officers and officials to the extent set forth in this subchapter.

(b) Any resolution or trust indenture adopted or executed under this section shall provide that power is reserved to apply to the payment of debt service on the bonds issued or secured thereunder all or any part of the revenues derived from any program or project financed by such bonds, and, to the extent of such revenues, to release from any requirement of such resolution or trust indenture other revenues and resources of the state, including, without

limitation, the net general revenue required to be transferred under § 6-62-719.

(c) Any resolution of trust indenture adopted or executed under this section may provide for the retirement and defeasance of the bonds by the depositing in trust of cash or investments maintained for that purpose, and, when the provisions of such resolution or trust indenture are complied with, such bonds being refunded shall not be deemed to be bonds outstanding for the purposes of this subchapter.

(d) The Arkansas Higher Education Coordinating Board may select projects for financing and development under this subchapter which offer reasonable and realistic prospects for the production of revenues, whether by direct user fees, sales, royalties, program or gate receipts, or otherwise.

HISTORY: Acts 1989, No. 683, § 7; 1991, No. 102, § 4.

6-62-715. Refunding bonds.

(a) Bonds may also be issued for the purpose of refunding, either at maturity or in advance of maturity, any bonds issued under this subchapter.

(b) (1) Such refunding bonds may either be sold or delivered in exchange for the bonds being refunded.

(2) If sold, the proceeds may either be applied to the payment of the bonds being refunded or deposited in trust and there maintained in cash or investments for the retirement of the bonds refunded, as shall be specified by the Arkansas Development Finance Authority and the authorizing resolution or trust indenture securing such refunding bonds.

(c) The authorizing resolution or trust indenture securing the refunding bonds may provide that the refunding bonds shall have the same security for their payment as provided for the bonds being refunded. Refunding bonds shall be sold and secured in accordance with provisions of this subchapter pertaining to the sale and security of the bonds.

HISTORY: Acts 1989, No. 683, § 20.

6-62-716. Bonds -- Execution.

(a) Each bond shall be signed with the facsimile signatures of the Governor, the Secretary of State, and the Chair of the Arkansas Development Finance Authority and by the manual or facsimile signature of the Treasurer of State or by a deputy of the Treasurer of State, and shall have affixed or imprinted thereon the Great Seal of the State of Arkansas.

(b) Interest coupons attached to the bonds, if any, shall be signed with the facsimile signature of the Treasurer of State.

(c) Delivery of bonds and coupons so executed shall be valid, notwithstanding any change in persons holding such offices occurring after the bonds have been executed.

HISTORY: Acts 1989, No. 683, § 8.

6-62-717. Bonds -- Sale -- Employment of administrative agents, fiscal agents, and legal counsel.

(a) The bonds may be sold in such manner, either at public or private sale, and upon such terms as the Arkansas Development Finance Authority shall determine to be reasonable and expedient for effectuating the purposes of this subchapter. The bonds may be sold at such prices as the authority may accept, including, but not limited to, sale at discount or a premium.

(b) (1) If the bonds are sold at public sale, such public sale shall be on sealed bids, after notice published by the chair of the authority for at least one (1) insertion not less than twenty (20) days before the date of sale in a newspaper published in Little Rock, Arkansas, and in a financial newspaper or journal published in the Borough of

Manhattan, City and State of New York, which notice shall contain such other terms and provisions as the authority determines to be desirable.

(2) The authority shall award the sale to the bidder offering to purchase the bonds at a price which results in the lowest net interest cost or true interest to the State of Arkansas determined by computing the total interest cost from date of the issue to maturity, and deducting therefrom any premium bid and adding thereto the amount of any discount bid.

(3) Provided, however, the authority shall reserve the right to reject all bids tendered at such public sale.

(c) If the bonds are sold at a private or negotiated sale, within ninety (90) days following the close of such bond issue, the authority shall file with the Legislative Council a written report of the details of the bond sale, which report shall include a listing of the firms to whom the sale was made, the rate or rates of interest paid for the bonds, the underwriting fee or discount, and other details of the underwriting of the bonds.

(d) The costs of publication of notices, bond printing, official statements, other documents, and other costs associated with the sale, issuance, and delivery of the bonds shall be paid from the proceeds of the bonds.

(e) The authority may employ administrative agents, fiscal agents, and legal counsel and may pay them reasonable compensation out of the proceeds of the bonds.

HISTORY: Acts 1989, No. 683, § 9.

6-62-718. Bonds -- General obligations -- Pledge of revenues.

(a) The bonds shall be direct general obligations of the State of Arkansas, for the payment of the debt service on which the full faith and credit of the State of Arkansas are hereby irrevocably pledged so long as any such bonds are outstanding.

(b) The bonds shall be payable from the general revenues of the state as such term is defined in the Revenue Stabilization Law, § 19-5-101 et seq., and such amount of general revenues as is necessary is hereby pledged to the payment of debt service on the bonds and shall be and remain pledged for such purposes.

HISTORY: Acts 1989, No. 683, § 11.

6-62-719. Bonds -- Payment -- Bond fund -- Debt Service Reserve Fund.

(a) On or before the commencement of each fiscal year, the Chief Fiscal Officer of the State shall determine the estimated amount required for payment of all or a part of debt service on the bonds issued under this subchapter during such fiscal year, after making deductions therefrom of estimated moneys to be available to the authority from other sources therefor and making the necessary transfer of such moneys, and shall certify such estimated amount to the Treasurer of State, who shall make monthly transfers from the State Apportionment Fund to the bond fund to provide for payment of all or part of the debt service on the bonds issued under this subchapter, of such amount of net general revenue as such term is defined in the Revenue Stabilization Law, § 19-5-101 et seq., as shall be required to pay the maturing debt service on bonds issued under this subchapter.

(b) (1) The Treasurer of State shall make such additional monthly transfer or transfers of net general revenue as the Chief Fiscal Officer of the State shall certify to him or her as being required to enable the Arkansas Development Finance Authority to establish and thereafter maintain a debt service reserve fund, to provide a reserve or reserves for payment of debt service on the bonds.

(2) (A) The obligation to make monthly transfers of net general revenue from the State Apportionment Fund to the bond fund and to the debt service reserve fund shall constitute a first charge against said net general revenue prior to all other uses to which said net general revenue are devoted, either under present law or under any laws that may be enacted in the future;

(B) Provided, however, that, to the extent other general obligation bonds of the state may subsequently be incurred, all such general obligation bonds shall rank on a priority of security with respect to payment from net general revenue.

(c) Moneys credited to the bond fund and the debt service reserve fund shall be used only for the purpose of paying debt service on the bonds, either at maturity or upon redemption prior to maturity, and for such purposes, the Treasurer of State is hereby designated disbursing officer to administer such funds in accordance with the provisions of this subchapter.

(d) The debt service reserve fund shall be held and used to ensure prompt payment of debt service on the bonds in such manner and pursuant to such conditions as may be specified by the authority in the resolution or trust indenture authorizing or securing such bonds.

(e) Moneys in the bond fund and the debt service reserve fund over and above the amount necessary to ensure the prompt payment of debt service on the bonds, and the establishment and maintenance of a reserve fund, if any, may be used for the redemption of bonds prior to maturity in the manner and in accordance with the provisions pertaining to redemption prior to maturity, as set forth in the resolution or trust indenture authorizing or securing such bonds.

HISTORY: Acts 1989, No. 683, § 12; 1991, No. 102, § 6.

6-62-720. Bond -- Tax exemption -- Legal investments.

(a) All bonds issued under this subchapter, and interest thereon, shall be exempt from all taxes of the State of Arkansas, including income, inheritance, and property taxes.

(b) The bonds shall be eligible to secure deposits of all public funds and shall be legal for investment of municipal, county, bank, fiduciary, insurance company, and trust funds.

HISTORY: Acts 1989, No. 683, § 13.

6-62-721. Bonds -- Rights and liabilities -- Enforcement.

(a) This subchapter shall constitute a contract between the State of Arkansas and the holders and registered owners of all bonds issued hereunder which shall never be impaired, and any violation of its terms, whether under purported legislative authority or otherwise, shall be enjoined by the courts at the suit of any bondholder or of any taxpayer.

(b) The courts, in like suit against the Arkansas Development Finance Authority or the state board, the Treasurer of State, or other appropriate officer or official of the state, shall prevent a diversion of any revenues pledged hereunder and shall compel the restoration of diverted revenues, by injunction or mandamus.

(c) Also and without limitation as to any other appropriate remedy at law or in equity, any bondholder, by an appropriate action, including without limitation, injunction or mandamus, may compel the performance of all covenants and obligations of the state, its officers and officials, hereunder.

HISTORY: Acts 1989, No. 683, § 15.

6-62-722. Bonds -- Rights and liabilities -- Commencement.

This subchapter shall not create any right of any character, and no right of any character shall arise under or pursuant to it unless and until the first series of bonds authorized by this subchapter shall have been sold and delivered.

HISTORY: Acts 1989, No. 683, § 16.

6-62-723. Bonds -- Deposit of proceeds.

(a) The proceeds from the sale of the bonds, together with all revenues derived from any project financed under this

subchapter shall be deposited by the Arkansas Development Finance Authority, as received, into trust funds in the State Treasury, to accomplish the purposes of this subchapter, specifically, in amounts or portions as may be set forth in the resolution or trust indenture authorizing or securing the bonds issued to finance the development of such project, into trust funds created hereby and designated as follows:

(1) Into the Higher Education Projects Development Fund, to provide for the development of projects at state institutions of higher education and the payment of project costs and expenses of the issuance of the bonds;

(2) Into the College Savings Bond Fund, to provide for payment of all or a part of debt service on bonds issued under this subchapter; and

(3) Into the College Savings Bond Debt Service Reserve Fund, to provide a reserve or reserves for payment of debt service on the bonds.

(b) The Treasurer of State is authorized and directed to establish separate accounts within such funds to correspond to the applicable series of bonds. In addition, there may be created in the State Treasury such other funds or accounts as the authority may determine in said resolution or trust indenture to be necessary to accomplish the purposes of this subchapter.

HISTORY: Acts 1989, No. 683, § 10.

6-62-724. Bonds -- Investment and disbursement of funds.

(a) Any moneys held in any fund created under this subchapter shall be invested by the State Board of Finance to the full extent practicable pending disbursement for the purposes intended. Notwithstanding any other provision of law, such investments shall be in accordance with the terms of the resolution or trust indenture as applicable.

(b) Moneys on deposit in the Higher Education Projects Development Fund shall only be disbursed for a project when requisitioned by the chair of the Arkansas Higher Education Coordinating Board, or duly authorized designee, and approved by the Chief Fiscal Officer of the State, or duly authorized designee, which requisition shall certify that the funds disbursed thereby are for the payment of project costs of a higher education project duly approved by the Arkansas Higher Education Coordinating Board.

HISTORY: Acts 1989, No. 683, §§ 21, 22; 1991, No. 102, §§ 5, 7.

6-62-725. Judicial review -- Priority.

All cases involving the validity of this subchapter or any portion thereof, or in any way arising under this subchapter or involving the bonds issued hereunder, shall be deemed of public interest and shall be advanced by all courts and heard as a preferred cause, and all appeals from judgments or decrees rendered in such cases must be taken within thirty (30) days after the rendition of such judgment or decree.

HISTORY: Acts 1989, No. 683, § 26.

6-62-726. Rules and regulations.

(a) The Department of Higher Education or other agency to which the appropriation for college savings bonds is provided shall adopt rules and regulations for the allocation of the funds reappropriated for the development of projects at state institutions of higher education and the payment of project costs and expenses of the issuance of the bonds under this subchapter in order to ensure that funds are allocated and expended in a manner consistent with the applicable provisions of the Internal Revenue Code, 26 U.S.C. § 1 et seq.

(b) The funds reappropriated for the development of projects at state institutions of higher education and the payment of project costs and expenses of the issuance of the bonds under this subchapter shall be allocated and expended pursuant to the provisions of this subchapter and other laws of this state.

(c) The expenditure and allocation of funds shall be exempt from any other provisions of state law which conflict with any provision of the rules and regulations which are required to ensure the compliance of the program with the applicable provisions of the Internal Revenue Code.

HISTORY: Acts 1997, No. 342, § 42.

6-62-727. [Repealed.]

6-61-301. Incorporation generally.

(a) (1) (A) An individual shall incorporate under the applicable laws of the state and receive certification from the Arkansas Higher Education Coordinating Board before offering educational coursework leading to a degree or before establishing a postsecondary educational institution unless the institution is a:

- (i) State-supported institution of higher education;
- (ii) School under § 6-51-601 et seq.;
- (iii) School exempt from § 6-61-301 et seq.; or
- (iv) School regulated by the Cosmetology Technical Advisory Committee.

(B) A postsecondary education institution located in another state first shall obtain certification from the Arkansas Higher Education Coordinating Board before offering a course or degree in this state unless the institution is a:

- (i) School under § 6-51-601 et seq.;
- (ii) School exempt from § 6-61-301 et seq.; or
- (iii) School regulated by the Cosmetology Technical Advisory Committee.

(C) A postsecondary education institution in this state shall first obtain certification from the Arkansas Higher Education Coordinating Board before offering courses that lead to a degree that is customarily granted by colleges or universities.

(2) State-supported vocational and technical schools, institutions covered under § 6-51-601 et seq., or institutions regulated by the Cosmetology Technical Advisory Committee shall obtain approval for programs in which a degree could be granted from both the Arkansas Higher Education Coordinating Board and the State Board of Education.

(3) Nonpublic, not-for-profit colleges and universities currently incorporated, recognized by the Arkansas Higher Education Coordinating Board as Arkansas independent institutions of higher education, and operating under the applicable laws of this state shall not be required to receive certification from the Arkansas Higher Education Coordinating Board or to receive licensure from the Arkansas State Board of Private Career Education.

(b) (1) The Arkansas Higher Education Coordinating Board shall establish the criteria required for certification and may promulgate rules to carry out the provisions of this chapter.

(2) The Arkansas Higher Education Coordinating Board shall not grant certification to an individual or postsecondary education institution under subdivision (a)(1) of this section unless the individual or postsecondary education institution is:

- (A) Accredited by an entity recognized by the United States Department of Education;
- (B) Accredited by an entity recognized by the Council for Higher Education Accreditation;

(C) A candidate for accreditation from an entity recognized by the United States Department of Education or the Council for Higher Education Accreditation during the institutional planning and development period; or

(D) An applicant for accreditation from an entity recognized by the United States Department of Education or the Council for Higher Education Accreditation during the institutional planning and development application process.

(c) An individual or postsecondary institution that operates in the state without certification from the Arkansas Higher Education Coordinating Board as required under subsection (a) of this section shall be guilty of a Class B misdemeanor.

(d) (1) To secure legal existence by act of incorporation, the individuals desiring to become a corporation as trustees of a college, university, or other postsecondary institution shall prepare a charter for the proposed institution and shall present the charter to the Arkansas Higher Education Coordinating Board.

(2) If the Arkansas Higher Education Coordinating Board determines that the charter is in accordance with the provisions of the laws of the State of Arkansas and the rules and regulations of the Arkansas Higher Education Coordinating Board, the Arkansas Higher Education Coordinating Board shall issue to the trustees a certificate appended to a copy of the charter with the Great Seal of the State of Arkansas attached.

(3) The certificate shall state that the accompanying charter is granted to the trustees, that they have complied with the provisions of law, and that they are thereby constituted the board of directors of that institution and invested with all powers prescribed in the charter.

(4) A copy of the charter and certificate shall be filed with the Secretary of State and recorded by him or her in a book to be kept for the purpose.

(5) The Arkansas Higher Education Coordinating Board shall have the power, after giving thirty (30) days' notice in writing to the trustees to show cause why such action should not be taken, to revoke any certification issued by the Arkansas Higher Education Coordinating Board whenever the Arkansas Higher Education Coordinating Board shall find, after proper investigation, that the institution is conferring degrees or diplomas without requiring sufficient work therefor or is in violation of any of the provisions of the laws of this state or the regulations of the Arkansas Higher Education Coordinating Board relative thereto.

HISTORY: Acts 1911, No. 375, § 9; 1975, No. 903, §§ 1-6; 1977, No. 560, § 5; A.S.A. 1947, § 80-4905; Acts 2005, No. 1994, § 388; 2011, No. 205, § 2.

6-61-302. Incorporation and certification -- Advisory committee.

(a) To assist the Arkansas Higher Education Coordinating Board in its responsibilities regarding incorporation and certification of postsecondary educational institutions, the board shall appoint an advisory committee.

(b) The advisory committee shall include:

(1) Two (2) nonpublic postsecondary education institution chief administrators;

(2) Two (2) public postsecondary education institution chief administrators;

(3) Two (2) chief administrators of proprietary schools which are licensed under § 6-51-601 et seq.;

(4) The Director of the Department of Career Education or his or her designated representative; and

(5) Two (2) legal residents of the state who are not officially affiliated with any postsecondary institution in any state as an employee or board member or in any other capacity.

(c) The members shall serve nine-year terms.

(d) Members shall serve without compensation but may be reimbursed for expenses in accordance with § 25-16-901 et seq.

HISTORY: Acts 1975, No. 903, § 4; 1977, No. 560, § 5; A.S.A. 1947, § 80-4905; Acts 1997, No. 250, § 26; 2003, No. 1473, § 6.

6-2-107. Change of name or provisions.

(a) Whenever the trustees of any corporate institution of learning are desirous of changing its name or the provisions of its charter, they may meet at their regular place of transacting business and change the name of the institution or the provisions of its charter.

(b) A majority of all the trustees shall consent to the change, and no change shall be made without due notice of the meeting and the intention thereof given to the several trustees at least ten (10) days before the time of such meeting.

(c) When a change of name or of the provisions of the charter shall be made, the changes shall not be effective until they are approved by the State Board of Education.

(d) When a change is so approved, a copy of the resolution of the board of trustees providing for such a change, together with a certificate of the State Board of Education as to its approval, shall be filed in the office of the Secretary of State and recorded by him or her in a book to be kept for such purposes.

HISTORY: Acts 1911, No. 375, §§ 11, 12; C. & M. Dig., §§ 1774, 1775; A.S.A. 1947, §§ 64-1411, 64-1412.

6-60-207. Purpose.

(a) (1) The General Assembly hereby acknowledges that too often, persons enrolled in institutions of higher education do not appreciate the value of their postsecondary educational experience and, following a brief history of poor and failing grades, such persons decide to pursue other worldly pursuits outside the academic world. The General Assembly further finds that following a considerable passage of time, the appreciation for postsecondary educational opportunities increases in such persons to the point that they seek to return to the institution only to find that the grades they acquired during their earlier experience act as a barrier and hindrance to their academic progress.

(2) The purpose of this section is to provide a mechanism for institutions of higher education to disregard the records of such persons which prevent or impede their academic success.

(b) A student enrolled in an institution of higher education on April 8, 1991, shall be eligible for academic clemency.

HISTORY: Acts 1991, No. 1000, §§ 1, 2.

6-61-220. Retention and graduation rate information.

(a) (1) Accurate information about the retention and graduation rates of students at state-supported colleges and universities is needed in order for the Arkansas Higher Education Coordinating Board, institutional boards of trustees, the General Assembly, and institutional faculty members and administrators to make informed decisions related to the coordination, governance, financing, and academic policies of higher education in Arkansas.

(2) Special attention to the retention and graduation rates of students who participate in intercollegiate athletics is needed because the percentage of student athletes who graduate is lower than for students who do not participate in athletics at many institutions throughout the nation.

(b) (1) (A) The Department of Higher Education, in consultation with the colleges and universities, shall

recommend a system for the collection of information as to the retention and graduation rates of students at state-supported colleges and universities to the board, the Governor, the House Committee on Education, the Senate Committee on Education, and the colleges and universities.

(B) In addition to retention and graduation rates for all students, the report shall also include the retention and graduation rates of all students who participate in intercollegiate athletics.

(2) Except as provided in subsection (c) of this section, officials of state colleges and universities shall provide to the department the information requested by the department by December 1 of each year, beginning in 2000.

(3) (A) For the purpose of analysis by the Bureau of Legislative Research to guide the General Assembly's evaluation of the need for adjustments to eligibility and funding levels for state-supported student financial assistance, the Office of Accountability of the Department of Education shall provide annually to the bureau all individual student demographic and test result data on ACT or ACT equivalent college placement exams.

(B) The office shall provide the data in a database or spreadsheet format that omits personally identifiable information.

(c) (1) Subject to an adequate appropriation for the personnel and equipment necessary to implement the system recommended under subdivision (b)(1) of this section, the department shall collect the information described in subdivision (b)(1) of this section and report its findings to the board, the Governor, the committees, and the colleges and universities by May 1 of each year, beginning in 2000.

(2) Notwithstanding the provisions of subdivision (c)(1) of this section, colleges and universities shall commence the collection of information as to the retention and graduation rates of all students who participate in intercollegiate athletics beginning in the fall semester of 1989 and shall report this information to the department by December 1 of each year, beginning in 2000.

(d) The board is hereby authorized to promulgate rules and regulations consistent with the intent and purpose of this section.

HISTORY: Acts 1989, No. 267, §§ 1, 2; 1999, No. 478, § 7; 2009, No. 605, § 8; 2009, No. 606, § 8.

6-61-219. [Repealed.]

6-61-218. Minimum college core -- Transferability.

To promote a coordinated system of higher education in Arkansas and to assure an orderly and effective development of each of the state-supported institutions of higher education, the Arkansas Higher Education Coordinating Board shall establish in consultation with state-supported institutions of higher education a minimum core of courses which shall apply toward the general education core curriculum requirements for associate and baccalaureate degrees at state-supported institutions of higher education and which shall be fully transferable among all state-supported institutions of higher education.

HISTORY: Acts 1989, No. 98, § 2; 2011, No. 747, § 1.

6-61-225. [Repealed.]

6-61-226. Guidelines for course review.

(a) (1) Arkansas public colleges and universities shall submit to the Arkansas Higher Education Coordinating Board an application for courses to be included in the state minimum core curriculum.

(2) Courses shall be reviewed and recommended by a peer review project team established in the discipline.

(b) (1) (A) The Department of Higher Education shall establish peer review project teams composed of faculty members of Arkansas universities and two-year colleges.

(B) (i) The peer review project team for each discipline shall include no fewer than four (4) faculty members equally divided between two-year and four-year institutions who teach in the discipline.

(ii) Members shall be appointed by a majority vote of the Executive Council.

(2) (A) The peer review project team for each discipline shall review and recommend to the department courses in the applicable discipline to be recommended to the board for inclusion in the curriculum.

(B) (i) Courses not receiving a recommendation by the peer review project team shall receive from the peer review project team suggested improvements or revisions for the course or its application.

(ii) Colleges and universities may resubmit course applications to the peer review project team if the original application is not recommended to the board after appropriate adjustments have been made based on the suggested improvements or revisions from the peer review project team.

HISTORY: Acts 2005, No. 672, § 2.

6-61-227. Annual transfer credit report.

All public institutions of higher education and any participating private institutions of higher education shall file a report annually with the Department of Higher Education identifying the number of students who requested transfer credit for a completed course in the state minimum core curriculum but were not given credit.

HISTORY: Acts 2005, No. 672, § 3.

6-61-111. Student assessment programs.

(a) Beginning with the fall 1991 semester, each state-supported institution of higher education shall implement an assessment program to evaluate student learning of general education core curriculum.

(b) The student outcomes assessment program developed by each institution shall be approved by the Arkansas Higher Education Coordinating Board prior to implementation.

HISTORY: Acts 1989, No. 98, § 3.

6-61-110. Testing of entering freshmen for remedial courses.

(a) A first-time entering freshman at a state-supported institution of higher education who is admitted to enroll in an associate or a bachelor's degree program shall be tested by the admitting institution for purposes of placement in either college-level credit courses in English and mathematics or remedial courses in English composition, reading, and mathematics.

(b) Remedial courses shall not provide credit toward a degree.

(c) (1) The Arkansas Higher Education Coordinating Board shall determine the:

(A) Test or other criteria to be used;

(B) Testing procedures and exemptions;

(C) Minimum scores or criteria below which students at all state-supported institutions of higher education must take remedial courses; and

(D) Minimum scores or criteria to allow simultaneous enrollment in college-level credit and remedial courses.

(2) The board shall base these decisions on:

(A) Consultation with representatives of the state-supported institutions of higher education;

(B) Analysis of the placement procedures presently used by institutions in the state;

(C) Statewide placement testing programs in other states; and

(D) Pilot projects involving testing of entering freshmen at selected institutions in the state.

(3) The board, in collaboration with state-supported institutions of higher education, shall develop by institution uniform measurable exit standards for remedial courses that are comparable to the ACT or SAT equivalent required for college-level enrollment in credit courses to be implemented no later than the fall semester of 2010.

(d) (1) The board shall work with state-supported institutions of higher education to:

(A) Develop innovative alternatives to traditional instruction and delivery methods for remedial courses; and

(B) Provide professional development opportunities to help remedial education faculty gain knowledge in best practices and trends in the instruction and delivery of remedial education.

(2) The board shall report to the House Committee on Education and the Senate Committee on Education by February 1, 2010, on the progress made in addressing the requirements in subdivision (d)(1) of this section.

HISTORY: Acts 1991, No. 1101, § 23; 1999, No. 508, § 3; 2009, No. 971, § 1; 2011, No. 899, § 1.

6-61-206. Studies, surveys, evaluations, etc.

In order to promote a coordinated system of higher education in Arkansas and to assure an orderly and effective development of each of the publicly supported institutions of higher education, the Arkansas Higher Education Coordinating Board shall have the power and duty:

(1) To conduct or cause to be made such studies, surveys, and evaluations of postsecondary education as the board believes necessary to carry out its duties, to include, but not be limited to:

(A) Studies of:

(i) Space utilization and development of guidelines for space utilization;

(ii) Manpower needs and their implications for program development; and

(iii) Programs for purposes of identifying and reducing unnecessary program duplication and identifying needs for new programs;

(B) Analysis of:

(i) Class size, faculty loads, and cost of instruction, sabbatical leave, and other fringe benefits; and

(ii) Enrollments, extension programs, sources of students, and retention of students; and

(C) Advise institutions of plans and needed improvements; and

(2) To conduct continuing studies as to public universities and colleges in all matters affecting these institutions

and from time to time submit recommendations to the Governor, the General Assembly, and each institution of higher learning based upon its findings, together with recommended plans for implementing such recommendations.

HISTORY: Acts 1977, No. 560, § 4; 1979, No. 820; § 1; A.S.A. 1947, § 80-4904.

6-61-208. New units of instruction, research, and public service.

(a) (1) In order to promote a coordinated system of higher education in Arkansas and to assure an orderly and effective development of each of the publicly supported institutions of higher education, the Arkansas Higher Education Coordinating Board shall have the power and duty to request, receive, evaluate, and approve proposals for all new units of instruction, research, and public service, consistent with established role and scope designations which have been approved by the board of trustees and the president of an institution, and to determine, based upon established policies, whether new units of instruction, research, or public service are justified.

(2) (A) "Established policies" as used in this subsection means a written statement developed by the board in consultation with and upon the advice of representatives of each of the state's institutions of higher learning which shall set forth the relevant criteria which a proposal for a new unit of instruction must meet before its establishment by an institution is justified.

(B) (i) The term "new unit of instruction, research, or public service" used in this subsection includes establishment of a college, school, division, institute, center, department, new curricula, majors leading to a new degree program, or an extension service not presently included in the program of the institution.

(ii) The term does not include reasonable and moderate extensions, as defined by the board, of existing curricular research or public service programs which have a direct relationship to existing programs at the several public institutions of higher learning.

(b) General revenues appropriated by the General Assembly shall not be expended for new programs that have not been recommended by the board.

HISTORY: Acts 1977, No. 560, § 4; 1979, No. 820, § 1; A.S.A. 1947, § 80-4904; Acts 1989, No. 397, § 2.

6-61-214. Review of existing degree programs -- Minimum standards.

(a) In order to promote a coordinated system of higher education in Arkansas and to assure an orderly and effective development of each of the publicly supported institutions of higher education, the Arkansas Higher Education Coordinating Board shall have the power and duty to establish minimum standards of quality and cost effectiveness and review each existing academic degree program in the state institutions of higher education at least every ten (10) years but no more frequently than every seven (7) years.

(b) (1) Such programs shall either be certified as having met established standards or placed on two-year probationary status.

(2) During the probationary period, at the request of the institution, the board shall provide guidance to the institutions in an attempt to qualify the programs to meet the minimum standards for quality and cost effectiveness.

(c) At the end of the two-year period, the board shall make recommendations to the institutions, the Governor, and the General Assembly concerning the continuation, termination, or extended probation of the program.

(d) General revenues shall not be expended for operation of degree programs beyond the deadline set by the board without the specific approval of the General Assembly. The deadline shall coincide with the end of the biennium.

HISTORY: Acts 1977, No. 560, § 4; A.S.A. 1947, § 80-4904; Acts 1989, No. 397, § 3.

6-61-224. Funding formula -- Department of Higher Education.

(a) The Department of Higher Education, in collaboration with the state college and university presidents and chancellors, shall develop funding formulas consisting of a needs-based component and an outcome-centered component which will, in principle, seek to provide fair and equitable state support to all postsecondary students across the state, regardless of the state institution attended, while at the same time recognizing:

(1) The different needs for lower level, upper level, and graduate level instruction at the various institutions;

(2) The requirements for specialized equipment, labs, and smaller class sizes in some disciplines;

(3) Unique missions such as agricultural extension services, research, medical sciences, workforce development, and public service; and

(4) Growth, economies of scale, and other appropriate factors.

(b) (1) The funding formulas for two-year colleges and universities shall be composed of a needs-based component under § 6-61-228(b)-(m) and § 6-61-229(b)-(m) and an outcome-centered component.

(2) The outcome-centered component shall constitute twenty-five percent (25%) of funding for two-year colleges and universities by the 2017-2018 school year and shall be phased in at a rate of five percent (5%) per year beginning in the 2013-2014 school year.

(3) The needs-based component shall constitute seventy-five percent (75%) of funding for two-year colleges and universities by the 2017-2018 school year.

(c) The outcome-centered component measures shall begin in the 2012-2013 school year but may include outcomes from multiple previous years.

(d) (1) The outcome-centered component shall seek to promote and increase the satisfactory progression, matriculation, and graduation of all students enrolled in two-year colleges and universities.

(2) The department shall consider the unique factors of each two-year college and university when developing the outcome-centered component, including utilizing variables that may be weighted to reinforce the mission of each two-year college and university and provide incentives for increased credential production.

(3) The outcome-centered component may include without limitation:

(A) End-of-course enrollment;

- (B) Student retention;
- (C) Student progression toward credential completion;
- (D) Number of credentials awarded, including an emphasis on high-demand credentials;
- (E) Student transfer activity;
- (F) Research activity; and
- (G) Number of graduates from underserved populations.

(e) By December 31, 2011, the department shall present the funding formulas approved by the Arkansas Higher Education Coordinating Board, including both the needs-based component and the outcome-centered component, to the President Pro Tempore of the Senate, the Speaker of the House of Representatives, and the Governor.

(f) It is the intent of the General Assembly that the outcome-centered component of funding formulas for two-year colleges and universities become the primary component for funding purposes.

HISTORY: Acts 1997, No. 1211, § 25; 2011, No. 1203, § 2.

6-61-228. Creation of funding formula model for universities.

(a) The funding formula model for universities shall:

- (1) Serve as a framework for implementing the broad goals of the State of Arkansas and the Arkansas Higher Education Coordinating Board;
- (2) Ensure adequate, equitable, and stable funding and be based on reliable and uniform data;
- (3) Be simple to understand, sensitive to universities' differing missions, and responsive to changes within the universities and shall make provisions for special-purpose units;
- (4) Hold universities accountable for increasing the educational attainment levels of Arkansas citizens by:
 - (A) Addressing the state's economic development and work force needs;
 - (B) Promoting increased degree production while maintaining a high level of rigor; and
 - (C) Acknowledging the unique mission of each university and allowing for collaboration and minimal redundancy in degree offerings and competitive research;
- (5) Promote a seamless and integrated system of postsecondary education designed to meet

the needs of all students; and

(6) Address institutional accountability for the quality of instruction and student learning, including remedial instruction.

(b) (1) The model shall determine the funding needs of universities using six (6) student-semester-credit-hour-based expenditure functions, one (1) square-footage-based function for facilities, and two (2) or more special-mission functions.

(2) The model shall also provide for economy or diseconomy of scale for universities with fewer than three thousand five hundred (3,500) full-time-equivalent student enrollment.

(c) (1) The six (6) student-semester-credit-hour-based expenditure functions shall be:

(A) Teaching salaries;

(B) Other instructional costs;

(C) Library costs;

(D) General institutional support;

(E) Research; and

(F) Public service.

(2) The square-footage-based expenditure function shall be for facilities maintenance and operations.

(3) The special missions to receive consideration in the funding formula model shall be universities with a traditional minority mission or a land grant mission, or both.

(d) (1) **Teaching Salaries.**

To determine the teaching salary needs of the universities, the student-semester-credit-hour component of each university shall be summarized into four (4) discipline cost categories:

(A) Cost Category I shall include the following instructional discipline classifications:

(i) English;

(ii) General studies;

(iii) Mathematics;

(iv) Interdisciplinary studies;

- (v) Health-related knowledge;
- (vi) Interpersonal skills;
- (vii) Leisure and recreational activities;
- (viii) Personal awareness;
- (ix) Philosophy;
- (x) Psychology;
- (xi) Public administration; and
- (xii) Social sciences;

(B) Cost Category II shall include:

- (i) Ethnic and cultural studies;
- (ii) Marketing;
- (iii) Communications;
- (iv) Education;
- (v) Languages;
- (vi) Home economics;
- (vii) Law;
- (viii) Biological sciences;
- (ix) Parks and recreation;
- (x) Basic skills;
- (xi) Construction trades;
- (xii) Mechanics;
- (xiii) Precisions;
- (xiv) Production;

(xv) Transportation; and

(xvi) Business management;

(C) Cost Category III shall include:

(i) Agriculture;

(ii) Conservation;

(iii) Architecture;

(iv) Communication technologies;

(v) Computer and information sciences;

(vi) Library science;

(vii) Physical sciences;

(viii) Science technology;

(ix) Visual and performing arts; and

(x) Health professions; and

(D) Cost Category IV shall include:

(i) Engineering; and

(ii) Engineering-related technology.

(2) A university's annualized student semester credit hours component in each cost category shall be summarized into three (3) instructional levels, undergraduate, graduate, and doctoral, to produce a four-by-three (4x3) matrix or table containing the university's student semester credit hours in each cost category and level.

(3) (A) Teaching salary computations shall be determined by dividing each of the twelve (12) cells of the table by the number of student semester credit hours that have been determined by research to be needed to produce a full-time-equivalent faculty member.

(B) Those student semester credit hour standards shall be:

(4) (A) A university's student semester credit hours in each cost category shall be divided by the applicable standards in subdivision (d)(3)(B) of this section to determine the number of full-time-equivalent faculty needed at each of the three (3) instructional levels.

(B) (i) The number of faculty at each instructional level shall be multiplied by an average Board of Control for Southern Regional Education faculty salary for a university at that level to ensure that every university receives the same funds for the same discipline and level of student semester credit hours.

(ii) The sum of the teaching salaries at the three (3) instructional levels shall constitute the teaching salaries need of the university.

(e) Other Instructional Costs.

Other instructional costs of the university shall be calculated as an amount equal to forty-five percent (45%) of teaching salaries of the university.

(f) Library Costs.

Library costs shall be calculated as an amount equal to eleven percent (11%) of the sum of the teaching salaries and other instructional costs of the university.

(g) General Institutional Support.

General institutional support of the university shall be calculated as an amount equal to fifty-four percent (54%) of the sum of teaching salaries and other instructional costs of the university.

(h) Research.

Research funding of the university shall be calculated as an amount equal to five percent (5%) of the undergraduate teaching salaries need plus twenty-five percent (25%) of graduate teaching salaries plus fifty percent (50%) of doctoral teaching salaries.

(i) Public Service.

Public service funding of the university shall be an amount equal to three percent (3%) of teaching salaries of the university.

(j) (1) Facilities Maintenance and Operations.

Facilities maintenance and operations funding of the university shall be based upon the university's needed square footage as determined by the Five-Factor Academic Space Prediction Model that considers the discipline and level of the student semester credit hours of each university.

(2) For each year of a biennium, the Arkansas Higher Education Coordinating Board staff

shall determine a funding rate per square foot based upon the most recent cost experiences of the universities.

(3) The rate calculated in subdivision (j)(2) of this section shall be multiplied by the university's actual square footage that the space prediction model has determined the university needs.

(4) Excess square footage above the space prediction model's established need shall be funded at a rate determined by the Arkansas Higher Education Coordinating Board staff.

(5) Universities with less square footage than the space prediction model-determined need shall be funded at a rate determined by the Arkansas Higher Education Coordinating Board staff.

(k) (1) Special Missions.

A federally designated land grant university shall receive special mission funding in the amount of ten percent (10%) of teaching salaries of the university in recognition of its federally mandated research and public service mission.

(2) The universities with a traditional minority mission shall receive an additional amount equal to fifteen percent (15%) of all student semester credit hours or full-time-equivalent-based portions of the funding formula.

(l) (1) Economy/Diseconomy of Scale.

The funding formula shall include an economy/diseconomy of scale provision for universities with fewer than three thousand five hundred (3,500) full-time-equivalent student enrollment.

(2) The Arkansas Higher Education Coordinating Board staff in consultation with the presidents and chancellors of the universities shall determine the method of calculation.

(m) (1) Funding Formula Model.

The total expenditure needs of each university shall be determined by adding all of the funding needs determined under subsections (d)-(l) of this section.

(2) (A) Appropriation needs for a university shall be determined by subtracting from the total expenditure needs the tuition and fee revenues.

(B) The Arkansas Higher Education Coordinating Board shall establish biennially a tuition rate per credit hour for universities to be used for funding formula purposes.

(3) (A) This funding formula model is designed to produce educational and general operating funds for universities of higher education that generate student semester credit hours.

(B) This model does not determine the funding needs of special units, such as the medical

school, division of agriculture, and system offices.

(4) This model does not provide for capital or personal services recommendations.

(5) This model does not provide funds for institutional scholarships, debt service, or fund transfers.

(6) (A) The revenue domain for the funding formula model shall include only state appropriations and student tuition and fee income and does not include private contributions and other discretionary funds.

(B) The revenue domain shall exclude funding at the universities from all sources other than from state appropriations and student tuition, including, but not limited to, the federal government, private sources, and self-supporting activities.

(C) Because the general definition specifies operating funds, the funding formula model also does not consider the appropriation and allocation of capital funds.

(n) (1) The funding formula model shall be utilized only to allocate funds to the universities.

(2) This funding formula model shall not be used to prescribe the allocation of those funds within the universities.

(o) (1) By December 31, 2011, the Arkansas Higher Education Coordinating Board shall develop an outcome-centered funding formula model that implements the broad goals for the state in subsection (a) of this section and seeks to promote and increase the satisfactory progression, matriculation, and graduation of all students enrolled in state-supported institutions of higher education.

(2) The outcome-centered funding formula model shall take into consideration, at a minimum:

(A) Course completion;

(B) Degree completion;

(C) Critical needs shortage areas;

(D) Minority students;

(E) Economically disadvantaged students; and

(F) Nontraditional students.

(p) (1) Each university's total state funding received shall be calculated at:

(A) Ninety-five percent (95%) under the funding formula model under subsections (b)-(m)

of this section and five percent (5%) on the outcome-centered funding formula model for the 2013-2014 school year;

(B) Ninety percent (90%) under the funding formula model under subsections (b)-(m) of this section and ten percent (10%) on the outcome-centered funding formula model for the 2014-2015 school year;

(C) Eighty-five percent (85%) under the funding formula model under subsections (b)-(m) of this section and fifteen percent (15%) on the outcome-centered funding formula model for the 2015-2016 school year; and

(D) Eighty percent (80%) under the funding formula model under subsections (b)-(m) of this section and twenty percent (20%) on the outcome-centered funding formula model for the 2016-2017 school year.

(2) Beginning in the 2017-2018 school year, university funding shall be based seventy-five percent (75%) under the funding formula model under subsections (b)-(m) of this section and twenty-five percent (25%) on the outcome-centered funding formula model.

HISTORY: Acts 2005, No. 1429, § 1; 2009, No. 797, §§ 1-4; 2011, No. 1203, §§ 3, 4.

6-61-229. Funding formula model for two-year colleges.

(a) The funding formula model for two-year colleges shall:

(1) Serve as a framework for implementing the broad goals of the State of Arkansas and the Arkansas Higher Education Coordinating Board;

(2) Be based on reliable and uniform data;

(3) Make provisions for special-purpose units;

(4) Hold two-year colleges accountable for increasing the educational attainment levels of Arkansas citizens by:

(A) Addressing the state's economic development and work-force needs;

(B) Promoting increased certificate and degree production while maintaining a high level of rigor; and

(C) Acknowledging the unique mission of each two-year college and allowing for collaboration and minimal redundancy in degree offerings and certificates;

(5) Promote a seamless and integrated system of postsecondary education designed to meet the needs of all students; and

(6) Address institutional accountability for the quality of instruction and student learning, including remedial instruction.

(b) (1) The model shall determine the funding needs of two-year colleges in four (4) student-semester-credit-hour or full-time-equivalent student-based expenditure functions, one (1) square-footage-based expenditure function, and one (1) contact-hour expenditure function.

(2) (A) The student semester credit hour or full-time equivalent-based expenditure functions shall include:

- (i)** Teaching salaries;
- (ii)** Academic support;
- (iii)** Student services; and
- (iv)** Institutional support.

(B) The square footage-based expenditure function shall be designated for facilities maintenance and operations.

(C) Funding for workforce education programs shall be determined from student contact hours.

(c) In order to determine the teaching salaries needs of the two-year colleges, the student semester credit hour shall be summarized into four (4) academic discipline categories based upon the relative costs of academic programs as determined by historical expenditure patterns.

(d) The cost categories shall be designated as general education, technical education, basic skills, and allied health as follows:

(1) General education shall include the following academic disciplines:

- (A)** Agriculture business;
- (B)** Natural resources;
- (C)** Archeology;
- (D)** Communications;
- (E)** Education;
- (F)** Engineering;
- (G)** Foreign languages;

- (H) Home economics;
 - (I) Law;
 - (J) Letters;
 - (K) Liberal studies;
 - (L) Biology or life sciences, or both;
 - (M) Mathematics;
 - (N) Interdisciplinary;
 - (O) Health;
 - (P) Recreation;
 - (Q) Philosophy;
 - (R) Physical sciences;
 - (S) Psychology;
 - (T) Public administration;
 - (U) Social sciences;
 - (V) Transportation;
 - (W) Visual arts; and
 - (X) Performing arts;
- (2) Technical education shall include the following academic disciplines:
- (A) Agriculture;
 - (B) Marketing;
 - (C) Communications technology;
 - (D) Engineering technology;
 - (E) Technical education;

(F) Science technology;

(G) Protective services;

(H) Construction trades;

(I) Mechanics;

(J) Precision production; and

(K) Business management;

(3) Basic skills shall include remedial or developmental, or both, student semester credit hours; and

(4) Allied health shall include health professions.

(e) (1) The number of full-time-equivalent faculty needed by a college shall be determined using the established workload standards required to produce a need for one (1) full-time-equivalent faculty member.

(2) The workload standards to produce a full-time-equivalent faculty member shall be:

(A) Six hundred sixty (660) student semester credit hours for general education;

(B) Four hundred eighty (480) student semester credit hours for technical education and basic skills; and

(C) Three hundred sixty (360) student semester credit hours for allied health.

(f) (1) The full-time-equivalent faculty needs of each college shall be determined by dividing the workload standards into the college's student semester credit hours in that cost category.

(2) Funding for teaching salaries for each college shall be determined by multiplying the total or full-time-equivalent faculty needs of each college by the predicted Board of Control for Southern Regional Education average salary for two-year colleges with no academic rank.

(3) The teaching salary funding shall be adjusted for the use of part-time faculty or full-time-equivalent faculty needs generated by student semester credit hours taught by part-time faculty and shall be funded at one-half (1/2) of the rate of those student semester credit hours taught by full-time faculty members.

(4) The part-time faculty adjustment for each college will be determined each biennium by the Department of Higher Education staff.

(5) The fringe benefits for teaching salaries shall be determined by multiplying the teaching salaries funding by the current average fringe benefit rate, which shall be determined for the biennium by the department staff.

(6) The total teaching salaries needs of a college shall include the fringe benefits and teaching salary needs.

(g) (1) Funding needs for the academic support functions shall be equal to sixty percent (60%) of adjusted teaching salaries plus thirty-five thousand dollars (\$ 35,000) for a staff salary in public service.

(2) Fringe benefits for academic support shall be determined by multiplying the fringe benefit rate determined for the biennium by sixty percent (60%) of the academic support funding described in subdivision (g)(1) of this section.

(h) (1) The funding needs for student services shall be calculated based on a variable rate per student using the mean of full-time-equivalent enrollment and headcount enrollment.

(2) Student services funding shall include an economy-of-scale component that will provide progressively less funding per student over established enrollment levels.

(3) For the 2005-2007 biennium, student services funding for the first seven hundred fifty (750) students shall be funded at a higher rate to be determined each biennium; the next two thousand two hundred fifty (2,250) students shall be funded at a lesser rate; and all students in excess of a three thousand (3,000) full-time-equivalent enrollment level shall be funded at a lower rate.

(4) The funding rates for each level shall have a full-time-equivalent enrollment level that shall be adjusted biennially for inflation.

(5) Full-time-equivalent enrollment levels shall be reviewed annually to determine whether they require adjustment.

(6) Fringe benefits for student services shall be calculated as an amount equal to the biennial fringe benefit rate multiplied by sixty percent (60%) of the calculated student services funding needs under subdivision (h)(3) of this section.

(i) Institutional support funding shall be as follows based on the college's full-time-equivalent student enrollment:

(1) For one thousand (1,000) or fewer students enrolled, an amount equal to twenty-one percent (21%) of the total teaching salaries, academic support, student services, and facilities maintenance and operations;

(2) For one thousand one (1,001) to three thousand (3,000) students enrolled, an amount equal to eighteen percent (18%) of the total of the teaching salaries, academic support, student

services, and facilities maintenance and operations; and

(3) For more than three thousand (3,000) students enrolled, an amount equal to fifteen percent (15%) of the total teaching salaries, academic support, student services, and facilities maintenance and operations.

(j) (1) Facilities maintenance and operations funding shall be based upon each college's square footage needs as determined by the "space needs model" that determines need based on the college's full-time equivalent enrollment and the mix of academic programs that the college offers.

(2) (A) For each year of the biennium, the Arkansas Higher Education Coordinating Board shall determine a funding rate per square foot based on the most recent cost experiences of the college.

(B) That rate shall be multiplied by the college's actual square footage that does not exceed one hundred fifty percent (150%) of the space need model's determined need of the college.

(C) Square footage in excess of one hundred fifty percent (150%) of the space need model's determined need of the college shall be funded at a lower rate.

(D) Colleges with a deficit in square footage as defined by the space need model will have the square footage shortfall partially funded to compensate for the intensity of the use of the facilities.

(k) Funding for workforce education shall be based on contact hours and shall be calculated by using an established rate for the first ten thousand (10,000) contact hours, a lesser rate for the next ten thousand (10,000), and a lesser rate for all noncredit contact hours in excess of twenty thousand (20,000).

(l) The total expenditure needs of each college shall be equal to the sum of teaching salaries, academic support, student services, institutional support, facilities maintenance and operations, and workforce education.

(m) (1) The appropriation needs of each college shall be the total expenditure needs of the college less the calculated tuition and fee income.

(2) The Arkansas Higher Education Coordinating Board shall establish biennially a tuition rate per credit hour for two-year colleges with revenue derived from a local tax, including, but not limited to, a sales tax or an ad valorem tax, and a higher per credit hour tuition rate for those colleges without revenue derived from a local tax.

(n) (1) The formula does not provide funds for institutional scholarships, debt service, or fund transfers.

(2) The revenue domain for the funding model shall include only state appropriations and

student tuition and fee income and shall not include private contributions and other discretionary funds.

(3) The revenue domain shall exclude funding at the colleges from all sources other than from student tuition and state appropriations, including, but not limited to, local tax levies, the federal government, private sources, and self-supporting activities.

(4) Because the general definition specifies operating funds, the funding model also does not consider the appropriation and allocation of capital funds.

(o) (1) The funding formula model shall be utilized only to allocate funds to the two-year colleges.

(2) It shall not be used to prescribe the allocation of those funds within the colleges.

(p) (1) By December 31, 2011, the Arkansas Higher Education Coordinating Board shall develop an outcome-centered funding formula model that implements the broad goals for the state in subsection (a) of this section and seeks to promote and increase the satisfactory progression, matriculation, and graduation of all students enrolled in state-supported institutions of higher education.

(2) The outcome-centered funding formula model shall take into consideration at a minimum:

(A) Course completion;

(B) Certificate and degree completion;

(C) Critical needs shortage areas;

(D) Minority students;

(E) Economically disadvantaged students; and

(F) Nontraditional students.

(q) (1) Each two-year college's total state funding received shall be calculated at:

(A) Ninety-five percent (95%) under the funding formula model under subsections (b)-(m) of this section and five percent (5%) on the outcome-centered funding formula model for the 2013-2014 school year;

(B) Ninety percent (90%) under the funding formula model under subsections (b)-(m) of this section and ten percent (10%) on the outcome-centered funding formula model for the 2014-2015 school year;

(C) Eighty-five percent (85%) under the funding formula model under subsections (b)-(m)

of this section and fifteen percent (15%) on the outcome-centered funding formula model for the 2015-2016 school year; and

(D) Eighty percent (80%) under the funding formula model under subsections (b)-(m) of this section and twenty percent (20%) on the outcome-centered funding formula model for the 2016-2017 school year.

(2) Beginning in the 2017-2018 school year, two-year college funding shall be based seventy-five percent (75%) under the funding formula model under subsections (b)-(m) of this section and twenty-five percent (25%) on the outcome-centered funding formula model.

HISTORY: Acts 2005, No. 1760, § 1; 2007, No. 591, § 1; 2011, No. 1203, §§ 5, 6.

6-61-230. Review of funding formulas.

The Arkansas Higher Education Coordinating Board shall review the funding formulas set forth in this subchapter biennially and make written recommendations for appropriate modifications or changes to the President Pro Tempore of the Senate, the Speaker of the House of Representatives, and the Governor by October 15 of the year prior to each regular session of the General Assembly.

HISTORY: Acts 2005, No. 1760, § 2; 2007, No. 827, § 119; 2011, No. 1203, § 7.

6-61-233. Funding formula implementation -- Department of Higher Education.

The implementation of the funding component of the outcome-centered formula defined in §§ 6-61-224, 6-61-228, and 6-61-229 shall not progress beyond the 2014-2015 school year until such time as the Department of Higher Education determines that all institutions are funded at the minimum standard of equity defined as seventy-five percent (75%) of needed state funding, as determined by the needs-based component of the funding formula models. In any fiscal year that the aggregate general revenue funding forecast to be available for higher education institutions is less than the amount in the 2012-2013 fiscal year, the department will not further implement the funding component until such time as the aggregate general revenue for higher institutions is restored to the 2012-2013 fiscal year level. The department shall continue to execute and publish the results of the outcome-centered component to measure the progress of institutions in reaching the broad goals of satisfactory progression and graduation of all students enrolled in state-supported institutions of higher education.

HISTORY: Acts 2013, No. 1397, § 44.

6-61-303. Expansion of institutions.

(a) The General Assembly recognizes the necessity of the state having an orderly and planned system of higher education and determines that the Arkansas Higher Education Coordinating Board should establish reasonable and necessary criteria and factors to be used in determining and controlling the expansion of existing state-supported institutions of higher learning and community college programs, in order to prevent an overextension of the state's resources or unnecessary duplication of programs or facilities.

(b) (1) The board is authorized to promulgate and adopt reasonable rules, regulations, criteria, guidelines, and standards to be followed by the respective state-supported institutions of higher learning and to be applied by the board with respect to the planning, establishment, location, or development of any branch campus of the existing state-supported institutions of higher learning or community colleges.

(2) The standards, rules, regulations, criteria, and guidelines shall be developed and approved after public hearings held by the board in accordance with the Arkansas Administrative Procedure Act, § 25-15-201 et seq.

(3) Upon the development and adoption thereof, the standards, rules, regulations, criteria, and guidelines shall be followed by the board in reviewing, rejecting, or approving the establishment and location of all future branch campuses of existing state-supported institutions of higher learning or community colleges.

(c) (1) Each state-supported institution of higher learning and community college desiring to establish a branch campus or program shall present to the board a request in writing to establish the branch campus or program, outlining the justifications and reasons therefor.

(2) The board shall review the application in accordance with the standards, rules and regulations, criteria, and guidelines promulgated by the board and may grant the application only if the establishment of a branch campus is within these guidelines and standards.

(3) If the board rejects the application, the institution shall not establish the branch campus or program.

HISTORY: Acts 1977, No. 560, § 6; A.S.A. 1947, § 80-4906.

6-60-208. Requirements for academic clemency.

(a) A public school student who graduates from a public high school after May 1, 2002, must have successfully completed the core curriculum recommended by the Arkansas Higher Education Coordinating Board after consultation with the State Board of Education and under § 6-61-217 with a minimum cumulative grade point average of 2.0 on a 4.0 scale in order to be eligible for unconditional admission as an undergraduate to a state-supported four-year institution of higher education.

(b) Subject to subsection (c) of this section any public school student who graduates from a public high school after May 1, 2002, must have successfully completed the core curriculum recommended by the Arkansas Higher Education Coordinating Board after consultation with the State Board of Education and under § 6-61-217 in order to be eligible for unconditional admission to a state-supported two-year institution of higher education.

(c) (1) (A) The colleges and universities shall develop standards for collegiate admissions based on the mission of each institution and establish a conditional collegiate admissions process for each institution, subject to the recommendations of the Arkansas Higher Education Coordinating Board.

(B) (i) The colleges and universities shall establish standards for conditional admission for public school graduates who have not completed the core curriculum, subject to the recommendations of the Arkansas Higher Education Coordinating Board.

(ii) At a minimum, these conditional admissions standards shall require the following:

(a) For a public school graduate seeking an associate of arts degree or a baccalaureate degree who failed to successfully complete the core curriculum, completion of twelve (12) hours of core academic courses and any necessary remedial courses with a cumulative grade point average of 2.0 on a 4.0 scale; or

(b) For a public school graduate seeking a diploma, a technical certificate, or an associate of applied science degree who failed to successfully complete the core curriculum, completion of six (6) hours of core academic courses, six (6) hours of technical courses required for the diploma, technical certificate, or associate of applied science degree, and any necessary remedial courses with a cumulative grade point average of 2.0 on a 4.0 scale.

(2) (A) Conditional admissions standards shall reflect the mission of each institution and shall be implemented by the institutions as a condition for receiving state funds.

(B) If the Arkansas Higher Education Coordinating Board does not approve the conditional collegiate admissions standards and process for an institution, state funds shall not be used to subsidize or pay for any portion of the cost associated with the conditional students.

(3) The admissions criteria set forth in this section shall not apply to those individuals who graduate from a public high school prior to May 1, 2002.

(d) (1) Conditional admissions standards for nontraditional students shall be based on the student's score on the American College Test composite or its equivalent as defined by the Department of Higher Education, which shall issue guidelines to assist two-year and four-year institutions of higher education in developing conditional admissions standards.

(2) As used in this subsection, "nontraditional students" shall include those who are home-schooled or who attended private or parochial secondary schools.

(e) Beginning with the 2012-2013 academic year, a student who scores below fifteen (15) on an ACT, or below a comparable score on a comparable exam, may be reassessed to determine the student's ability to benefit using one (1) of the federally approved ability-to-benefit assessments.

(f) (1) Beginning with the 2012-2013 academic year, a student who scores below the acceptable federally determined ability-to-benefit assessment score, but has a high school diploma or GED, may be enrolled by a two-year or four-year institution of higher education only in a specific program approved by the Arkansas Higher Education Coordinating Board in collaboration with the institutions of higher education until the student can demonstrate academic proficiency that would predict success in a degree program.

(2) The Arkansas Higher Education Coordinating Board shall provide approved assessment tools and acceptable scores through Arkansas Higher Education Coordinating Board policy.

(g) This section does not prevent an institution of higher education from setting higher admissions standards for enrolling freshmen.

HISTORY: Acts 1993, No. 969, § 1; 1995, No. 1296, § 33; 1997, No. 977, § 3; 1997, No. 1290, § 1; 1999, No. 520, § 1; 2011, No. 1184, § 1.

6-62-107. Reduction of state funds expended on remediation.

(a) As a condition for receiving state funds, all public two-year and four-year institutions of higher education shall report the following information by October 1 of each year to the Department of Higher Education in a format developed by the department in consultation with the institutions:

(1) The total direct and indirect costs of remediation for the previous academic year; and

(2) All sources of revenue, by amount and source, used to fund direct and indirect costs of all remedial courses and programs.

(b) The department shall develop a system to calculate the total amount of state funds spent on remediation of first-time entering freshmen students.

(c) The amount spent on remediation at public four-year educational institutions shall not exceed the amount spent as of the 1996-1997 school year.

HISTORY: Acts 1993, No. 1141, §§ 1-4; 1997, No. 112, § 20; 1999, No. 508, § 5.

6-61-110. Testing of entering freshmen for remedial courses.

(a) A first-time entering freshman at a state-supported institution of higher education who is admitted to enroll in an associate or a bachelor's degree program shall be tested by the admitting institution for purposes of placement in either college-level credit courses in English and mathematics or remedial courses in English composition, reading, and mathematics.

(b) Remedial courses shall not provide credit toward a degree.

(c) (1) The Arkansas Higher Education Coordinating Board shall determine the:

(A) Test or other criteria to be used;

(B) Testing procedures and exemptions;

(C) Minimum scores or criteria below which students at all state-supported institutions of higher education must take remedial courses; and

(D) Minimum scores or criteria to allow simultaneous enrollment in college-level credit and remedial courses.

(2) The board shall base these decisions on:

(A) Consultation with representatives of the state-supported institutions of higher education;

(B) Analysis of the placement procedures presently used by institutions in the state;

(C) Statewide placement testing programs in other states; and

(D) Pilot projects involving testing of entering freshmen at selected institutions in the state.

(3) The board, in collaboration with state-supported institutions of higher education, shall develop by institution uniform measurable exit standards for remedial courses that are comparable to the ACT or SAT equivalent required for college-level enrollment in credit courses to be implemented no later than the fall semester of 2010.

(d) (1) The board shall work with state-supported institutions of higher education to:

(A) Develop innovative alternatives to traditional instruction and delivery methods for remedial courses; and

(B) Provide professional development opportunities to help remedial education faculty gain knowledge in best practices and trends in the instruction and delivery of remedial education.

(2) The board shall report to the House Committee on Education and the Senate Committee on Education by February 1, 2010, on the progress made in addressing the requirements in subdivision (d)(1) of this section.

HISTORY: Acts 1991, No. 1101, § 23; 1999, No. 508, § 3; 2009, No. 971, § 1; 2011, No. 899, § 1.

6-61-221. Reporting of graduates requiring postsecondary remediation.

(a) (1) The Department of Higher Education shall collect information necessary to prepare reports of college achievement of high school graduates from each state-supported institution of higher education.

(2) The Department of Higher Education may contract with appropriate organizations for the preparation of the reports.

(b) The Department of Higher Education and the Office of Accountability of the Department of Education shall work together to develop a compatible system of reporting the number of:

(1) Students who required remediation during their first year of enrollment in a state-supported institution of higher education if the enrollment occurred within two (2) years of graduation from a secondary school in this state;

(2) Students who required remediation and who graduated:

(A) With a 3.0 or higher grade point average on a 4.0 scale; and

(B) From a public high school after completing the:

(i) Program of the minimum core of high school courses recommended for preparation for postsecondary education by the Arkansas Higher Education Coordinating Board and the State Board of Education pursuant to § 6-61-217 known as Smart Core; or

(ii) Non-Smart Core curriculum; and

(3) Attempts it takes a student to pass a postsecondary remedial course, beginning in the 2011-2012 school year.

(c) (1) The compilation report generated by the Department of Higher Education shall not include individual student information if the information is reported in a manner that would identify a particular student.

(2) Any information gathered that identifies a particular student shall be confidential.

(d) (1) The Department of Higher Education shall include the reports developed under this section annually in the Comprehensive Arkansas Higher Education Annual Report and provide an electronic copy to the:

(A) Department of Education;

(B) Department of Career Education;

(C) Arkansas Higher Education Coordinating Board;

(D) Governor;

(E) House Committee on Education;

(F) Senate Committee on Education;

(G) State Board of Education; and

(H) School district administrators for each public high school.

(2) The reports developed under this section shall be prepared on or before October 1 each year and include the cost of remediation for each state-supported institution of higher education, which shall be submitted to the Department of Higher Education according to standards developed by the Department of Higher Education and shall include for each state-supported institution of higher education:

(A) The amount of institutional revenue spent on remediation;

(B) The total general revenue subsidy spent on remediation;

(C) The total institutional expenditure for remediation; and

(D) The general revenue percentage of total expenditures for remediation.

(3) The report required under this subsection shall be separate from the uniform reporting standards report required under § 6-61-222.

HISTORY: Acts 1991, No. 880, § 1; 1999, No. 508, § 4; 2009, No. 970, § 1; 2011, No. 696, § 2.

6-18-223. Credit for college courses.

(a) (1) A public school student who is enrolled in a public school in Arkansas and who has successfully completed the eighth grade shall be eligible to enroll in a publicly supported community college or four-year college or university in accordance with rules and regulations adopted by each institution in consultation with the Arkansas Higher Education Coordinating Board.

(2) A student who enrolls in and successfully completes a course or courses offered by an institution of higher education shall be entitled to receive appropriate academic credit in both the institution of higher education and the public school in which such student is enrolled, which credit shall be applicable to graduation requirements.

(b) The State Board of Education is authorized to adopt rules and regulations as may be necessary for implementation of this requirement.

HISTORY: Acts 1989 (3rd Ex. Sess.), No. 60, § 1; 1991, No. 1097, § 1.

6-60-202. Enrollment of qualified high school students as part-time students.

(a) It is declared to be the policy of this state that qualified students enrolled in a public or private high school in this state shall upon request be accepted for enrollment in a public institution of higher education as part-time students.

(b) For purposes of this section, "qualified student" shall mean a student who is recommended for enrollment in the institution by the principal of the high school in which the student is enrolled and who meets the minimum criteria for advanced placement.

HISTORY: Acts 1983 (1st Ex. Sess.), No. 57, § 1; A.S.A. 1947, § 80-3393.

6-61-114. [Repealed.]

6-61-207. Role and scope designations.

(a) (1) In order to promote a coordinated system of higher education in Arkansas and to assure an orderly and effective development of each of the publicly supported institutions of higher education, the Arkansas Higher Education Coordinating Board shall have the power and duty to establish, in consultation with college and university personnel, appropriate role and scope designations within which boards of trustees must operate the institution or institutions under their jurisdiction.

(2) The board shall establish such role and scope designations by January 1, 1990. The designations may be changed at any time as determined by the board. They shall be fully reviewed at least once every five (5) years.

(3) Prior to their establishment of or making a change in role and scope designations, the board shall carefully study the change in consultation with institutional personnel, announce the intent to consider a change, and publicly reveal the change that is being proposed at a regular quarterly meeting, with the vote to come no sooner than the next regular quarterly meeting.

(b) To assist the board and the Department of Higher Education in their effort to promote a coordinated system of higher education in Arkansas that addresses and responds to the changing economic needs of the state and the new economy, the Arkansas Economic Development Commission shall provide the Department of Higher Education a list of the state's overall and regional economic development goals within ten (10) days of August 12, 2005, and by

September 1 of each year thereafter.

(c) (1) The Department of Higher Education may retain the services of consultants or other experts as may be necessary to carry out the review, and the Department of Higher Education staff shall work directly with the consultants to handle the logistics of needed discussion groups, meeting minutes, and recommendation dissemination.

(2) The review process shall include an opportunity for institutions to provide input, as well as a time for public and business comment.

(3) Upon completion of the review, the Department of Higher Education shall provide a report regarding its findings to the board, the Governor, the cochairs of the Legislative Council, and the Director of the Bureau of Legislative Research.

(4) The requirements for a review under this section shall be contingent upon the appropriation and availability of funding for that purpose.

HISTORY: Acts 1977, No. 560, § 4; 1979, No. 820, § 1; A.S.A. 1947, § 80-4904; Acts 1989, No. 397, § 1; 2005, No. 502, § 1.

12-12-913. Disclosure.

(a) (1) Registration records maintained pursuant to this subchapter shall be open to any criminal justice agency in this state, the United States, or any other state.

(2) Registration records may also be open to government agencies authorized by law to conduct confidential background checks.

(3) Registration records shall be open to the Division of Medical Services of the Department of Human Services for Medicaid provider applicants under § 12-12-927.

(b) In accordance with guidelines promulgated by the Sex Offender Assessment Committee, local law enforcement agencies having jurisdiction shall disclose relevant and necessary information regarding sex offenders to the public when the disclosure of such information is necessary for public protection.

(c) (1) (A) The Sex Offender Assessment Committee shall promulgate guidelines and procedures for the disclosure of relevant and necessary information regarding sex offenders to the public when the release of the information is necessary for public protection.

(B) In developing the guidelines and procedures, the Sex Offender Assessment Committee shall consult with persons who, by experience or training, have a personal interest or professional expertise in law enforcement, crime prevention, victim advocacy, criminology, psychology, parole, public education, and community relations.

(2) (A) The guidelines and procedures shall identify factors relevant to a sex offender's future dangerousness and likelihood of reoffense or threat to the community.

(B) The guidelines and procedures shall also address the extent of the information to be disclosed and the scope of the community to whom disclosure shall be made as these factors relate to the:

(i) Level of the sex offender's dangerousness;

(ii) Sex offender's pattern of offending behavior; and

(iii) Need of community members for information to enhance their individual and collective safety.

(3) The Sex Offender Assessment Committee shall submit the proposed guidelines and procedures to the House

Committee on Public Health, Welfare, and Labor and the Senate Committee on Public Health, Welfare, and Labor for their review and shall report to the House Committee on Public Health, Welfare, and Labor and the Senate Committee on Public Health, Welfare, and Labor every six (6) months on the implementation of this section.

(d) (1) A local law enforcement agency having jurisdiction that decides to disclose information pursuant to this section shall make a good faith effort to notify the public and residents at least fourteen (14) days before a sex offender is released or placed into the community.

(2) If a change occurs in a sex offender's release plan, this notification provision shall not require an extension of the release date.

(3) In conjunction with the notice provided under § 12-12-914, the Department of Correction and the Department of Human Services shall make available to a local law enforcement agency having jurisdiction all information that the Department of Correction and the Department of Human Services have concerning the sex offender, including information on risk factors in the sex offender's history.

(e) (1) A local law enforcement agency having jurisdiction that decides to disclose information under this section shall make a good faith effort to conceal the identity of the victim or victims of the sex offender's offense.

(2) Except as provided in subsection (j) of this section, information under this section is not subject to disclosure under the Freedom of Information Act of 1967, § 25-19-101 et seq.

(f) A local law enforcement agency having jurisdiction may continue to disclose information on a sex offender under this section for as long as the sex offender is required to be registered under this subchapter.

(g) (1) The State Board of Education and the State Board of Career Education shall promulgate guidelines for the disclosure to students and parents of information regarding a sex offender when such information is released to a local school district or institution of vocational training by a local law enforcement agency having jurisdiction.

(2) The Arkansas Higher Education Coordinating Board shall promulgate guidelines for the disclosure to students of information regarding a sex offender when information regarding a sex offender is released to an institution of higher education by a local law enforcement agency having jurisdiction.

(3) In accordance with guidelines promulgated by the State Board of Education, the board of directors of a local school district or institution of vocational training shall adopt a written policy regarding the distribution to students and parents of information regarding a sex offender.

(4) In accordance with guidelines promulgated by the Arkansas Higher Education Coordinating Board, the board of directors of an institution of higher education shall adopt a written policy regarding the distribution to students of information regarding a sex offender.

(h) Nothing in this section shall prevent a law enforcement officer from notifying members of the public about a person who may pose a danger to the public for a reason that is not enumerated in this subchapter.

(i) The medical records or treatment evaluations of a sex offender or sexually dangerous person are not subject to disclosure under the Freedom of Information Act of 1967, § 25-19-101 et seq.

(j) (1) (A) The following information concerning a registered sex offender who is classified as a level 3 or level 4 offender by the Community Notification Assessment shall be made public:

(i) The sex offender's complete name, as well as any alias;

(ii) The sex offender's date of birth;

(iii) Any sex offense to which the sex offender has pleaded guilty or nolo contendere or of which the sex offender has been found guilty by a court of competent jurisdiction;

- (iv) The street name and block number, county, city, and zip code where the sex offender resides;
- (v) The sex offender's race and gender;
- (vi) The date of the last address verification of the sex offender provided to the Arkansas Crime Information Center;
- (vii) The most recent photograph of the sex offender that has been submitted to the center;
- (viii) The sex offender's parole or probation office;
- (ix) The street name and block number, county, city, and zip code where the sex offender is employed;
- (x) Any institution of higher education in which the sex offender is enrolled; and
- (xi) The vehicle identification number and license plate number of any vehicle the sex offender owns or operates.

(B) If a registered sex offender was eighteen (18) years of age or older at the time of the commission of the sex offense that required registration under this subchapter and the victim of the sex offense was fourteen (14) years of age or younger and the registered sex offender is classified as a level 2 offender by the Community Notification Assessment, the following information concerning the registered sex offender shall be made public:

- (i) The registered sex offender's complete name, as well as any alias;
- (ii) The registered sex offender's date of birth;
- (iii) Any sex offense to which the registered sex offender has pleaded guilty or nolo contendere or of which the registered sex offender has been found guilty by a court of competent jurisdiction;
- (iv) The street name and block number, county, city, and zip code where the registered sex offender resides;
- (v) The registered sex offender's race and gender;
- (vi) The date of the last address verification of the registered sex offender provided to the center;
- (vii) The most recent photograph of the registered sex offender that has been submitted to the center;
- (viii) The registered sex offender's parole or probation office;
- (ix) The street name and block number, county, city, and zip code where the sex offender is employed;
- (x) Any institution of higher education in which the sex offender is enrolled; and
- (xi) The vehicle identification number and license plate number of any vehicle the sex offender owns or operates.

(C) The center shall prepare and place the information described in subdivisions (j)(1)(A) and (B) of this section on the Internet home page of the State of Arkansas.

(2) The center may promulgate any rules necessary to implement and administer this subsection.

(k) Nothing in this subchapter shall be interpreted to prohibit the posting on the Internet or by other appropriate means of offender fact sheets for those sex offenders who are determined to be:

(1) High-risk or sexually dangerous persons, risk level 3 and level 4; or

(2) In noncompliance with the requirements of registration under rules and regulations promulgated by the Sex Offender Assessment Committee.

HISTORY: Acts 1997, No. 989, § 13; 1999, No. 1353, § 8; 2001, No. 1743, § 10; 2003, No. 330, §§ 1, 2; 2003 (2nd Ex. Sess.), No. 21, § 6; 2005, No. 1962, § 35; 2007, No. 147, § 1; 2007, No. 394, § 7; 2009, No. 165, § 7; 2013, No. 505, §§ 11 -- 14; 2013, No. 508, §§ 10, 11; 2013, No. 1504, § 1.

6-61-225. [Repealed.]

6-51-901. Purpose.

It is the purpose of this subchapter to initiate a broad array of legislative authority whose purpose it is to:

(1) Upgrade the quality and quantity of postsecondary vocational and technical education;

(2) Permit the expansion of programs leading to associate of applied science degrees; and

(3) Augment the State Board of Career Education by increasing its membership that is representative of business and industry, including the service-oriented industries in Arkansas.

HISTORY: Acts 1991, No. 773, § 1.

6-51-902. Accountability measures and performance indicators.

(a) (1) All postsecondary vocational-technical schools, technical institutes, and comprehensive lifelong learning centers within the State of Arkansas shall present to the State Board of Career Education and the Department of Career Education a report reflecting a satisfactory level of performance-based system of accountability measures and performance indicators as defined in this section.

(2) The report shall be filed with the State Board of Career Education and the department annually.

(b) In order to promote a coordinated system of postsecondary vocational and technical education in Arkansas and to provide an effective delivery system, the State Board of Career Education shall:

(1) Review, evaluate, and coordinate budget requests for the institutions in the system; and

(2) (A) Develop a system of accountability measures and performance indicators to be used as the basis for budget requests.

(B) The system of accountability measures and performance indicators shall incorporate, as a minimum, the following:

(i) Student attainment of academic and vocational and technical skill proficiencies;

(ii) Student attainment of a diploma, skill certificate, or recognized postsecondary credential;

(iii) Student placement, retention, and completion of postsecondary or advanced training, employment, or military service;

(iv) Student participation in and completion of programs of nontraditional training and employment;

(v) Cost effectiveness as measured by cost per contact hour of instruction;

(vi) Business and industry services as measured by the number of contact hours of instruction for specific business and industry courses; and

(vii) The degree to which local support has been obtained by the institution as evidenced by:

- (a) Private sector cash and in-kind donations;
- (b) Support from local units of government;
- (c) Foundations; and
- (d) Other such nonstate sources as may be appropriate.

(c) With the exception of a special funding appropriation, all state funds shall be requested by the State Board of Career Education for the technical institutes, postsecondary vocational-technical schools, and comprehensive lifelong learning centers based on a funding formula to be developed and approved by the State Board of Career Education and shall be based upon the accountability measures and performance indicators enumerated in this section.

(d) Upon the failure to find that satisfactory progress is being made by the school, the State Board of Career Education shall dissolve the operation of the school or convert the school to an adult education center, a secondary vocational center, or another appropriate role and function.

(e) For purposes of standardized reporting and accountability only, the State Board of Career Education, after consultation with the Arkansas Higher Education Coordinating Board, shall develop for all postsecondary vocational schools, technical institutes, and comprehensive lifelong learning centers a reporting system for headcount enrollment and full-time-equivalency enrollment which is consistent with policies followed by the Arkansas Higher Education Coordinating Board.

(f) Riverside Vocational and Technical School shall be exempt from all provisions of this subchapter except this section and shall remain a postsecondary vocational-technical school as presently structured under the State Board of Career Education.

HISTORY: Acts 1991, No. 773, §§ 7-10; 1999, No. 1158, § 1.

6-51-903. Local board of directors -- Members.

(a) All postsecondary vocational-technical schools, including those which expand their services under § 6-51-217 or under § 6-51-906 shall be governed by a local board of directors.

(b) (1) The Governor shall appoint a five-member local board of directors composed of residents of the local geographic service area in which the institution is located.

(A) Appointment shall be subject to confirmation by the Senate.

(B) No candidate for public office, holder of public office in the state, or his or her spouse, shall serve as a member of a local board.

(C) Members of the local board shall be qualified electors of the geographic service area in which the institution is located.

(D) Local board appointees shall have a high interest in vocational and technical education, a strong desire and commitment to serve the institution in the improvement of its offerings, and shall be representative of business, industry, labor, and agriculture, including service occupations.

(2) The term of office for local board members shall be five (5) years.

(A) The initial board appointees shall determine their terms by lot so that no more than one (1) term shall expire during any given year.

(B) A local board appointee shall serve no more than two (2) consecutive terms.

(3) When a vacancy occurs in the membership of the board, the president or director of the institution shall so notify the Governor who shall appoint a successor to the person who vacated membership, who shall serve the unexpired term of the person succeeded.

HISTORY: Acts 1991, No. 773, § 2.

6-51-904. Duties of local board for technical institutes.

(a) The powers and duties of the local board shall be as follows:

(1) To acquire, hold, and transfer real and personal property, to enter into contracts, to institute and defend legal actions and suits, and to exercise such other rights and privileges as may be necessary for the management and administration of the technical institute;

(2) To determine a minimum level for student tuition and fees to be charged by the technical institute, including without limitation penalty fees;

(3) To appoint from the candidates certified by the State Board of Career Education the president of the technical institute or director of the comprehensive lifelong learning center;

(4) To appoint, upon nomination of the president or director, the members of the administrative and teaching staffs;

(5) To determine, with the approval of the State Board of Career Education, the educational program of the institution; and

(6) Other powers and duties as provided in this subchapter or as delegated to it by the State Board of Career Education.

(b) All records, personnel, property, unexpended balances of appropriations, allocations, or other funds of the technical institutes and comprehensive lifelong learning centers shall be transferred from the state board to the local boards of directors.

(c) The local board may make rules and regulations not inconsistent with the provisions of this subchapter or inconsistent with the rules and regulations of the state board as are necessary for the proper administration and operation of the institution.

(d) The local board may contract with a nonprofit organization or a local school district board of directors within its service area to offer secondary-level general academic and vocational and technical courses and programs, adult literacy courses, or both.

HISTORY: Acts 1991, No. 773, § 2; 1997, No. 803, § 9; 2013, No. 594, § 1.

6-51-905. Technical institutes.

(a) The technical institute may offer programs which lead to an Associate of Applied Science degree.

(b) Each technical institute shall operate within a service area assigned by the State Board of Career Education.

(c) (1) The board of directors of the technical institute may contract with existing institutions of higher education

for the operation of any associate degree programs offered at the institute.

(2) Such programs must be approved by the Arkansas Higher Education Coordinating Board and may be offered either on-site at the institute or at a satellite location.

(d) (1) Any degree at or above the associate degree level offered at a technical institute or any state-supported postsecondary institution must be approved by the Arkansas Higher Education Coordinating Board.

(2) Those degrees offered at a technical institute must be awarded by an Arkansas higher education institution accredited by the Higher Learning Commission.

(3) Any such degree program must be offered through the institute's Center for Collegiate Instruction.

(e) (1) (A) The technical institute shall be required to establish a policy that specifically outlines a plan to work with local business, industry, and agriculture to meet technological and training needs.

(B) The plan shall be submitted annually to the local board of directors and the State Board of Career Education for approval.

(C) The plan shall incorporate a study of local needs, including interviews with local business, industry, and agriculture.

(2) (A) The technical institute shall be required to offer courses to address business, industry, and agricultural needs, and when appropriate, teach the course at those sites.

(B) The technical institute may use adjunct faculty or professors under contract to meet this requirement.

HISTORY: Acts 1991, No. 773, § 3.

6-51-906. Comprehensive lifelong learning centers.

(a) Schools not converting to technical institutes as provided by other sections of this subchapter, or community colleges under existing law, shall expand program offerings and become a comprehensive lifelong learning center.

(b) The State Board of Career Education shall establish criteria and program expansions which would require all remaining postsecondary vocational-technical schools to become comprehensive lifelong learning centers.

(c) When a postsecondary vocational-technical school meets the criteria for becoming a comprehensive lifelong learning center as established by the State Board of Career Education, the school shall make application to the board seeking that it be designated as such.

(1) Each comprehensive lifelong learning center shall operate within a service area assigned by the State Board of Career Education.

(2) (A) Each comprehensive lifelong learning center may operate satellite campuses apart from the campus of the main center but within the service area of the center.

(B) The establishment, locations, and number of satellite campuses of a center must be approved by the State Board of Career Education.

(3) The board of directors of a comprehensive lifelong learning center may contract with existing institutions of higher education for the operation of any associate degree programs offered at the center, upon approval by the State Board of Career Education and the Arkansas Higher Education Coordinating Board.

(A) Any degree program at or above the associate degree level offered at a comprehensive lifelong learning center must be approved by the Arkansas Higher Education Coordinating Board and awarded by an Arkansas

institution of higher education accredited by the Higher Learning Commission.

(B) Any such degree program must be offered through the center's Center for Collegiate Instruction.

(d) (1) The board shall periodically review the program offerings and curricula of the postsecondary vocational-technical schools to assure that lifelong learning opportunities exist for the population served.

(2) The comprehensive lifelong learning centers shall include offerings of:

(A) Workplace literacy programs consisting of remedial education, including adult basic education and general adult education;

(B) Occupational and technical preparation;

(C) Applied foundation courses in mathematics, science, communications, and technologies;

(D) Customized training and adult retraining programs;

(E) Apprenticeship work-based training programs;

(F) Other relevant education and training which meets the needs of the work force and which prepares the state's citizens for lifelong learning opportunities and a quality life; and

(G) May include courses leading to an associate of applied science degree, upon approval by the Arkansas Higher Education Coordinating Board.

(e) (1) Except as provided in this section, the construction, operation, and maintenance of the comprehensive lifelong learning center shall be financed by the state.

(2) Each comprehensive lifelong learning center, acting through its board, shall have the power to accept and receive gifts, grants, profits from auxiliary enterprises, local millages, and any other local funds to be used as local matching funds for capital outlay expenses of the center.

(3) The comprehensive lifelong learning center shall be required to establish a plan that specifically outlines cooperative efforts with local industries and businesses to meet technological and training needs.

(A) The plan shall be submitted annually to the local board of directors and the State Board of Career Education for approval.

(B) The plan shall incorporate a study of local needs, including interviews with local business and industry.

(4) (A) The comprehensive lifelong learning center shall be required to offer courses to address industry and business needs and, when appropriate, to teach the course at the business or industry site.

(B) The comprehensive lifelong learning center may use adjunct faculty or professors under contract to meet this requirement.

HISTORY: Acts 1991, No. 773, § 4.

6-51-907. Expanded associate degrees instruction -- College transfer courses.

(a) Any Arkansas technical institute or comprehensive lifelong learning center desiring to offer college transfer courses or to increase the number of associate of applied science degrees being offered may initiate such college transfer courses or occupational degree programs under the provisions of this section upon approval of the Arkansas Higher Education Coordinating Board.

(b) (1) The Center for Collegiate Instruction, hereinafter called the center, means a legally designated collegiate

center on the campus of a technical institute or a comprehensive lifelong learning center.

(2) The center shall be authorized to coordinate and offer college-level courses at such location.

(3) It shall comply with the established accreditation standards of the North Central Association of Colleges and Schools for the umbrella college or university which acts as the sponsor for the center.

(c) (1) Any technical institute or comprehensive lifelong learning center that desires to establish a collegiate center shall be required to enter into a memorandum of understanding with the sponsoring colleges or universities.

(2) The guidelines for establishing the memorandum of understanding shall be developed by the Arkansas Higher Education Coordinating Board in conjunction with the State Board of Career Education.

(d) (1) The associate degree programs to be offered at the center shall be developed by participating institutions and shall meet all the standards for accreditation by the Higher Learning Commission.

(2) Associate degree programs offered through a center must be approved for implementation by the Arkansas Higher Education Coordinating Board.

(e) (1) Each university or college operating at least one (1) collegiate center shall designate a center director who shall manage the operation of the center and any subsequent satellite units which may be developed at other institutions.

(2) Each technical institute or comprehensive lifelong learning center shall designate a collegiate center coordinator who is to be responsible for the overall coordination of the center and its efficient operation.

HISTORY: Acts 1991, No. 773, § 5.

6-53-101. Title.

This chapter shall be known as and may be cited as the "Two-Year Postsecondary Education Reorganization Act of 1991".

HISTORY: Acts 1991, No. 1244, § 1.

6-53-102. Purpose.

(a) The purpose of this chapter is to serve as a legislative charter under the authority granted by Arkansas Constitution, Amendment 52, for the establishment, organization, and administration of a system of educational institutions throughout the state offering courses of instruction in:

- (1) Technical programs;
- (2) Vocational programs;
- (3) Adult education programs;
- (4) Industry training; and
- (5) Two-year college transfer programs.

(b) The system established under this chapter shall provide educational programs which are:

(1) Easily accessible by all segments of the population so that they may benefit from training, retraining, or upgraded training for employment; and

(2) Highly responsive to individuals needing to achieve basic, general, and specialized education to meet the needs of the workplace.

(c) The Arkansas Higher Education Coordinating Board shall serve as the coordinating body of the system in order to assure the orderly and effective development of the publicly supported institutions within the system.

HISTORY: Acts 1991, No. 1244, § 2; 1997, No. 1114, § 5.

6-53-103. Definitions.

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

(1) "Branch campus of the community college" means an institution with facilities located apart from the community college campus but within the community college district;

(2) (A) "Capital outlay expense" means those funds devoted to or required for:

(i) The acquisition and improvement of land;

(ii) The acquisition, construction, remodeling, alteration, addition, or enlargement of buildings or other structures; and

(iii) The initial purchase of library holdings, furniture, apparatuses, and other equipment for a new or expanded facility as defined by the Arkansas Higher Education Coordinating Board.

(B) "Capital outlay expense" excludes those expenses used for maintenance and replacement of equipment and furniture;

(3) "Community college" means an institution of higher education established or to be established under the provisions of this chapter dedicated primarily to the educational needs of the service area and offering a comprehensive program, including, but without limitation, vocational, trade, and technical specialty courses and programs, college transfer courses, and courses in general adult education;

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

(5) "District" means the geographic area located within one (1) or more counties or cities or any described combination thereof or any described area which may be in one (1) or more counties or parts of counties but within the same service area which is directly responsible for the local financial support and local administration of an institution located within its service area;

(6) "Existing community college" means a community college established in accordance with the provisions of and presently operating in conformity with Arkansas Constitution, Amendment 52, and §§ 6-61-101 -- 6-61-103, 6-61-201 -- 6-61-209, 6-61-212 -- 6-61-216, 6-61-301 -- 6-61-305, 6-61-401, 6-61-402, 6-61-501 -- 6-61-524, and 6-61-601 -- 6-61-603;

(7) "Local board" means the governing body of a technical college or community college;

(8) (A) "Operating expense" means those educational and general funds devoted to or required for the regular or ordinary expense of the college, including administrative, maintenance, and salary expenses but excluding capital outlay expenses, student activity expenses, and expenses for intercollegiate athletics.

(B) "Operating expense" includes maintenance and replacement of furniture and equipment, including motor vehicles;

(9) "Satellite campus" means an institution or off-campus facility of a community college located within a service area of a technical or community college but not located within a community college district;

(10) (A) "Service area" means the geographic area assigned by the Arkansas Higher Education Coordinating Board as the area to be served by the institution located within its borders.

(B) Each county in the state shall be assigned to at least one (1) service area;

(11) "State board", "board", or "full board" means the Arkansas Higher Education Coordinating Board;

(12) "System institution" means a technical college or community college; and

(13) "Technical college" means an institution of higher education established under this chapter dedicated primarily to the educational needs of the service area and offering a comprehensive program, including, but without limitation, vocational, trade, and technical specialty courses and programs, courses in general adult education, and courses comparable in content and quality to freshman and sophomore courses which may carry transfer credit to a four-year institution in a chosen course of study.

HISTORY: Acts 1991, No. 1244, § 3; 1995, No. 576, § 1; 1997, No. 1114, § 6.

6-53-104. Effect of chapter on existing law.

(a) The procedures and deadlines established in this chapter shall, for the purposes of this chapter, be in lieu of and supersede those set forth in existing laws of this state with respect to the establishment, organization, and administration of vocational-technical postsecondary institutions and community colleges.

(b) Existing laws of this state shall for the purposes of this chapter apply only in those situations which are not specifically provided for in this chapter and, when applied, shall be consistent, insofar as possible, with the purpose, procedures, and deadlines contained in this chapter.

HISTORY: Acts 1991, No. 1244, § 37.

6-53-105. Withdrawal or withholding of state funding.

The Arkansas Higher Education Coordinating Board may approve the withdrawal or withholding of state financial and administrative support of any institution in the system under the following conditions:

(1) If an institution fails or refuses to maintain prescribed standards of administration or instruction; or

(2) If an institution fails to achieve accreditation within the time limits prescribed by this chapter.

HISTORY: Acts 1991, No. 1244, § 25; 1995, No. 854, § 2.

6-53-106. Licensed blind vendors.

(a) Section 22-3-1301 et seq. grants preference to trained blind individuals in the operation of vending facilities on certain state-owned or leased property. Further, such vending facilities provide productive employment to qualified blind persons resulting in earned income which returns tax dollars to the state. Therefore, it is the specific intent of this section to continue such vending preferences allowed under § 22-3-1301 et seq. with all rights and responsibilities required therein at all vocational-technical schools where they now operate.

(b) Any institutional consolidation resulting from this chapter shall include plans for continuation of vending facilities at the preceding locations subject to § 22-3-1301 et seq.

HISTORY: Acts 1991, No. 1244, § 38.

6-53-107. Effect of conversion on employees and directors.

(a) All employees who are employed by state-supported postsecondary vocational-technical schools converting to an

institution under the technical and community college system or those employees of a two-year branch campus of a four-year institution converting to a technical or community college shall become employees of the technical or community college, branch campus of the community college, or satellite campus of the community college under this chapter and shall continue their terms of employment and shall have all rights and benefits of employment, including retirement benefits, that they had when employed by the state-supported postsecondary vocational-technical schools or by the two-year branch campus of the four-year institution.

(b) All directors of state-supported postsecondary vocational-technical schools shall continue their terms of employment and shall have all rights and benefits of employment, including retirement benefits, under this chapter and shall remain directors of the institutions resulting from the merger, consolidation, or expansion under this chapter.

(c) Any abolishment of a position in an institution operated as a former state-supported postsecondary vocational-technical school by an institution within the system shall require prior approval of the state board during the five (5) years following the effective date of the merger, consolidation, or expansion.

(d) Nothing in this section shall be interpreted to provide any employee described herein with any employment rights or benefits greater than those employment rights or benefits to which all state employees are entitled.

HISTORY: Acts 1991, No. 1244, § 32.

6-53-201. System name.

All two-year institutions and their courses and programs within the jurisdiction of the Arkansas Higher Education Coordinating Board shall be identified and administered as the Arkansas Technical and Community College System.

HISTORY: Acts 1991, No. 1244, § 8; 1997, No. 1114, § 7.

6-53-202. [Repealed.]

6-53-203. Duties and powers of Arkansas Higher Education Coordinating Board.

(a) In order to promote a coordinated system of two-year postsecondary education in Arkansas, to provide an effective delivery system for adult education programs, and to assure an orderly and effective development of a system of publicly and locally supported institutions, the Arkansas Higher Education Coordinating Board shall have the following powers and duties:

(1) To function as a coordinating body between the technical and community colleges in the system and the public schools, universities, state colleges, and other educational institutions in Arkansas;

(2) To determine service areas containing all counties within the state and to recommend adoption of such service areas to the full board, who shall designate which system institution within the service area shall be responsible for fulfillment of the two-year postsecondary educational needs of the service area;

(3) (A) To review, evaluate, and coordinate budget requests for the institutions in the system.

(B) (i) The full board shall present to the General Assembly and to the Governor prior to each regular session of the General Assembly a single budget report containing the recommendations for separate appropriations to each of the respective institutions.

(ii) The recommendations will be consistent with a comprehensive master plan of two-year postsecondary education in Arkansas adopted by the board.

(iii) The recommendations, insofar as possible, will be based upon standard techniques of objective measurement of need and unit cost figures arrived at through comparative data secured from the several institutions.

(iv) Specific needs of institutions based upon existing programs and deficiencies will be given consideration;

(4) (A) To develop, in conjunction with the institutions, the Governor, and the Legislative Council, a single set of budget forms which will be utilized by all parties in making requests and recommendations for the funding of two-year postsecondary institutions in the system.

(B) The forms and process will require that the total income and expenditures of each institution must be considered in the request process;

(5) To determine, in coordination with the Legislative Joint Auditing Committee, that state funds are used in conformity with the grants of such funds;

(6) To determine a minimum level for student tuition and fees to be charged by institutions within the system in regard to the funding formula;

(7) To plan, in cooperation with the State Board of Career Education, the allocation of federal funds for instructional programs and student services, including funds for vocational and technical education, retraining, adult basic education, and general adult education;

(8) To recommend to the General Assembly the location and priorities for establishment or expansion of institutions or for abolition of institutions; and

(9) (A) To develop a standardized method of calculating the full-time equivalent enrollment for use by each two-year postsecondary institution in this state.

(B) Such calculation shall provide for the inclusion of students attending off-campus programs offered by the institution.

(b) The board shall develop and maintain short-range and long-range plans for providing current and appropriate occupational and technical training for adults and may solicit information for its planning activities from the State Board of Education, the Department of Workforce Services, any industry training program of the state, any apprenticeship training program of the state, and other state agencies, institutions, and departments.

(c) The board shall have approval or disapproval authority over all future conversions of state-supported postsecondary vocational-technical institutions to technical colleges and all consolidations of postsecondary vocational-technical institutions with community colleges or four-year institutions or their branches which must be authorized by the General Assembly.

(d) The board shall recommend and review proposals for the establishment of curricula and for major changes in curricula of institutions within the system. It shall emphasize flexibility in responding to local business and industry needs.

(e) (1) The board shall define the requirements of appropriate degrees and certificates and authorize the award thereof in the institutions within the system.

(2) The board shall approve all degree programs at the associate degree level or above at any state-supported postsecondary institution, including those established and administered under § 6-51-701 et seq.

(f) The board shall cooperate with the board of directors of any school district to encourage the use and sharing of facilities and staff in the offering of secondary vocational programs, including instruction in agricultural subjects, trades, or industrial subjects.

HISTORY: Acts 1991, No. 1244, § 7; 1995, No. 854, § 3; 1997, No. 1114, § 9.

6-53-204. [Repealed.]

6-53-205. College transfer program approval.

(a) The Arkansas Higher Education Coordinating Board shall develop a plan to maximize transfer credits of students from institutions within the system, including the development of a core transfer program for students desiring to obtain a baccalaureate degree after transferring from an institution within the two-year system to the four-year system.

(b) All programs and curricula in the college transfer program shall be subject to the approval or disapproval of the Arkansas Higher Education Coordinating Board.

(c) The board shall develop, with the assistance of institutional advisory committees, policies for transfer students from technical and community colleges to four-year institutions.

HISTORY: Acts 1991, No. 1244, § 10.

6-53-206. Equipment pool.

The Department of Higher Education, in coordination with the institutions, shall develop an effective means of pooling surplus equipment for redistribution to other institutions. Such equipment pool arrangement may include the crediting of equipment values to the institution for equipment acquired from a source other than the state.

HISTORY: Acts 1991, No. 1244, § 11.

6-53-207. Capital outlays.

(a) Unless exempted under the provisions of § 19-4-522, any expenditure of State Treasury funds for capital outlay expenses or construction costs, as set forth in § 19-4-524, of an institution within the system shall be subject to the prior approval of the General Assembly upon the recommendation of the Arkansas Higher Education Coordinating Board.

(b) Except those funds allocated under the College Savings Bond Act of 1989, § 6-62-701 et seq., or provided during the 1991-1993 biennium, prior to the withdrawal of state funds from the State Treasury for use in approved capital outlays, the board shall obtain and transmit to the Chief Fiscal Officer of the State a certificate from the chair of the local board of the technical or community college stating that a minimum of fifty percent (50%) of each project cost has been provided by local funds.

(c) No state moneys appropriated for general operating expenses of an institution shall be used for capital outlay expenses.

(d) Capital outlay expenses shall be paid from gifts, grants, profits from auxiliary enterprises, tuition, fees, local millages, and other local funds and may be paid from state funds appropriated for such purposes.

(e) Revenues derived from any local sales and use tax levied under § 26-74-201 et seq., § 26-74-301 et seq., § 26-75-201 et seq., or § 26-75-301 et seq., may be used to finance capital outlay expenses for institutions of higher education.

HISTORY: Acts 1991, No. 1244, § 12; 1993, No. 423, § 3.

6-53-208. [Repealed.]

6-53-209. Interim accreditation and governance.

(a) The Arkansas Higher Education Coordinating Board is hereby authorized to act as the legal entity, governing board, and receiver of all property for any institution not accredited by the Higher Learning Commission and seeking merger or consolidation with an existing institution of higher education during the interim period when

approval of institutional change from the commission is being sought.

(b) Upon approval by the commission, all records, personnel, property, unexpended balances, and all legal authority shall pass from the Arkansas Higher Education Coordinating Board to the legal entity governing the newly merged or consolidated institution.

(c) The Arkansas Higher Education Coordinating Board is hereby authorized to provide accreditation for a period of up to six (6) years to any institution governed by the Arkansas Higher Education Coordinating Board.

(d) Until such time as the Arkansas Higher Education Coordinating Board approves associate of applied science degrees for the institutions identified in § 6-53-301(a), no change in the educational mission of those institutions is intended or authorized by this chapter. Therefore, the State Board of Career Education must show cause why accreditation of those institutions should not be continued and, further, must provide twelve (12) months' notice of any action to withdraw its accreditation of those institutions.

(e) Any postsecondary vocational-technical school other than those listed in §§ 6-53-301 and 6-53-404 which receives approval from the state board and the General Assembly to begin the process of consolidation or merger with an existing institution of higher education shall be governed by the Arkansas Higher Education Coordinating Board in accordance with the provisions of this section and § 6-53-302(f), (h), and (i) pending approval of the merger or consolidation from the commission.

(f) Should any consolidation plan fail to be approved by the commission, the provision of § 6-53-301(g) shall apply to the postsecondary vocational-technical school or technical college seeking merger or consolidation with an institution of higher education.

HISTORY: Acts 1991, No. 1244, § 18.

6-53-210. Transfers to system after July 1, 1991.

(a) Following July 1, 1991, any existing postsecondary vocational-technical school transferring to the system shall do so only upon approval by the General Assembly and the recommendation of the Arkansas Higher Education Coordinating Board.

(b) Upon completion of the transfer to the system, the institution shall be subject to the same laws, procedures, rules, and regulations as all other institutions under the jurisdiction of the board.

HISTORY: Acts 1991, No. 1244, § 35.

6-53-301. Arkansas Technical and Community College System.

(a) (1) The Arkansas Higher Education Coordinating Board shall designate the following institutions as technical colleges which shall become part of the Arkansas Technical and Community College System under the coordination of the Arkansas Higher Education Coordinating Board:

(A) Black River Vocational-Technical School, Pocahontas;

(B) Cossatot Vocational-Technical School, De Queen;

(C) Gateway Vocational-Technical School, Batesville;

(D) Mid-South Vocational-Technical School, West Memphis;

(E) Oil Belt Vocational-Technical School, El Dorado;

(F) Ozarka Vocational-Technical School, Melbourne;

- (G) Petit Jean Vocational-Technical School, Morrilton;
- (H) Pines Vocational-Technical School, Pine Bluff;
- (I) Pulaski Vocational-Technical School, North Little Rock;
- (J) Red River Vocational-Technical School, Hope; and
- (K) Twin Lakes Vocational-Technical School, Harrison.

(2) None of these institutions shall have the authority to request the board's approval for associate degree programs before July 1, 1993.

(b) A technical college may be expanded to offer courses of instruction in technical, vocational, and adult education programs and college transfer programs and may, upon a vote of the electorate, create a community college district and, if necessary, impose a millage to convert to a community college.

(c) Until the institution elects to become a community college, the institution shall be known as a technical college.

(d) Upon the appointment of the local board, all records, personnel, property, unexpended balances of appropriations, allocations, or other funds of the state-supported postsecondary vocational-technical institutions shall be transferred to the local board.

(e) The local board shall be responsible for the administration and operation of the institution and shall be further responsible for the provision of services to meet the two-year postsecondary educational needs of those citizens located within the service area of the institution.

(f) (1) Any technical college which fails to achieve higher education institutional accreditation from the Higher Learning Commission within eight (8) years following the date of transfer under subsection (d) of this section shall be abolished by the board.

(2) All records, personnel, property, unexpended balances of appropriations, allocations, or other funds of the technical college shall be transferred to the Department of Higher Education.

HISTORY: Acts 1991, No. 1244, § 19; 1993, No. 423, § 4; 1995, No. 603, § 2; 1997, No. 1114, § 10.

6-53-302. Local administration -- Technical colleges.

(a) Each technical college established or operated under this chapter shall be governed by a local board of trustees consisting of seven (7) members who shall be appointed by the Governor and subject to the confirmation of the Senate.

(b) The term of office of local board members shall be seven (7) years.

(c) Members of the local board shall be qualified electors of the service area of the technical college and knowledgeable in business, labor, industry, or economic development.

(d) (1) A person shall not serve as a member of the local board if the person is:

- (A) A candidate for public office;
- (B) A holder of public office in the state;
- (C) A licensed or nonlicensed employee of a public school district;
- (D) A classified or nonclassified employee of:

- (i) A community college;
 - (ii) A vocational school;
 - (iii) A technical school; or
 - (iv) An institution of higher education; or
- (E) A member of a board of trustees of a:
- (i) School district;
 - (ii) Community college; or
 - (iii) Institution of higher education.
- (2) A person shall not serve as a member of the local board if the person's spouse is:
- (A) A candidate for public office;
 - (B) A holder of public office in the state;
 - (C) A classified or nonclassified employee of the technical college for which the person would serve as a member of the local board; or
 - (D) A member of the board of trustees of the technical college for which the person would serve as a member of the local board.
- (e) When a vacancy occurs in the membership of the local board, the president of the technical college shall notify the Governor, who shall appoint a successor to the person who vacated membership, who will serve the unexpired term of the person succeeded.
- (f) The powers and duties of the local board shall be as follows:
- (1) To acquire, hold, and transfer real and personal property, to enter into contracts, to institute and defend legal actions and suits, and to exercise such other rights and privileges as may be necessary for the management and administration of the technical college;
 - (2) To appoint the president of the technical college;
 - (3) To appoint, upon nomination of the president, members of the administrative and teaching staffs;
 - (4) To determine, with the approval of the Arkansas Higher Education Coordinating Board, the educational program of the technical college; and
 - (5) Other powers and duties as provided in this chapter and as delegated to it by the state board.
- (g) The local board shall select a chair and such other officers as are necessary for the performance of its duties.
- (h) The local board may make rules and regulations not inconsistent with the provisions of this chapter or inconsistent with the rules and regulations of the state board as are necessary for the proper administration and operation of the technical college.
- (i) The local board may contract with the Department of Career Education, with a nonprofit organization, or with a local school board within its service area to offer secondary level general academic and vocational and technical

courses and programs or adult literacy courses, or both.

(j) (1) The local board of a technical college may contract with a municipality for:

(A) The transfer of real property, including any buildings or structures thereon from the college to the municipality;

(B) Any or all of the following:

(i) The construction, repair, and renovation of buildings or structures;

(ii) The construction of additions to buildings or structures; and

(iii) The provision of equipment, apparatuses, library materials, and fixtures for the buildings or structures by the municipality; and

(C) (i) The long-term lease of at least fifty (50) years of the buildings or structures by the municipality to the college for nominal monetary and other valuable consideration.

(ii) The leased building or structure shall be utilized by the college for educational and technical educational purposes.

(2) The college may expend funds under the Arkansas Existing Workforce Training Act of 1995, § 6-50-701 et seq., and the Arkansas College Savings Bond Act of 1989, § 6-62-701 et seq., and the college and the municipality may expend any other funds available pursuant to applicable law for the purposes set out in this subdivision (j) and for the operation of the facility or structure if the college receives a long-term lease of at least fifty (50) years.

(3) If pursuant to subdivision (j)(1) of this section the college receives a long-term lease of at least fifty (50) years, the college and the municipality are authorized jointly to do any or all of the following:

(A) Construct, repair, and renovate buildings or structures;

(B) Construct additions to buildings or structures; and

(C) Provide equipment, apparatus, library materials, and fixtures for the buildings or structures.

HISTORY: Acts 1991, No. 1244, § 17; 1995, No. 854, § 1; 1997, No. 481, § 1; 2009, No. 82, § 1; 2013, No. 1138, § 79.

6-53-303. Institution presidents.

(a) The president of the technical or community college shall serve at the pleasure of the local board.

(b) A person currently appointed and serving as a president of existing community colleges or a chancellor of a two-year branch of a four-year institution which might transfer to the Arkansas Technical and Community College System shall continue his or her terms of employment and shall have all rights and benefits of employment.

(c) When a vacancy occurs in the office of president of a technical or community college in the system, the local board shall select the new president.

HISTORY: Acts 1991, No. 1244, § 27; 1999, No. 478, § 4.

6-53-304. Student tuition -- Fees.

(a) The intent of this chapter is to make technical and community college programs available to as many citizens of Arkansas as possible. To this end, tuition and fees should be maintained at a reasonable level so as not to exclude

citizens because of cost.

(b) The local board shall determine the minimum student tuition and fees to be charged by institutions within the system.

(c) The local board shall set both in-district and out-of-district student tuition and fees for each institution within its service area. Students residing outside a community college district may be subject to extra tuition and fees.

HISTORY: Acts 1991, No. 1244, § 26; 1999, No. 1107, § 2.

6-53-305. Transportation.

A technical or community college may establish and operate a transportation system for students within the service area of the institution assigned by the Arkansas Higher Education Coordinating Board.

HISTORY: Acts 1991, No. 1244, § 16.

6-53-306. Coordination with secondary vocational-technical education and literacy programs.

Upon the approval of the Arkansas Higher Education Coordinating Board, the local board may contract with the Department of Career Education, a nonprofit organization, or a local school district board of directors within its service area to offer secondary-level vocational and technical courses and programs, adult literacy courses, and industry training.

HISTORY: Acts 1991, No. 1244, § 14.

6-53-307. County support of technical colleges.

(a) (1) Any county quorum court may designate all or any portion of any undedicated county sales or use tax to be used for capital improvements to or the maintenance and operation of any technical college, two-year college, community college, or satellite campus of a community college.

(2) (A) In the alternative, the quorum court may refer to a vote of the people at any general or special election the issue of dedicating all or a portion of any undedicated county sales or use tax to any technical college, community college, two-year college, or satellite campus of a community college to be used for capital improvements to or the maintenance and operation of the technical college, community college, two-year college, or satellite campus of a community college.

(B) If the voters dedicate all or a portion of the tax, it shall remain so dedicated until the voters decide otherwise.

(b) When the quorum court calls an election on the issue of the levy of any county sales or use tax, it may also cause to be placed on the ballot the issue of dedicating all or a portion of the tax for capital improvements to or the maintenance and operation of any technical college, community college, two-year college, or satellite campus of a community college.

(c) If a technical college, community college, two-year college, or satellite campus of a community college for which a tax is dedicated or levied under this section thereafter becomes a branch of an existing institution of higher education, the tax dedicated or levied under this section shall continue to be dedicated and levied for the use and benefit of the branch unless reduced or repealed as authorized under this section.

(d) A county sales or use tax dedicated or levied under this section may also be dedicated or levied in part for capital improvements to or the maintenance and operation of any public institution of higher education located in the county.

(e) Any election called by the quorum court pursuant to this section shall be called pursuant to the proclamation

issued by the quorum court and held in accordance with § 7-11-201 et seq.

HISTORY: Acts 1993, No. 867, §§ 1-4; 1995, No. 576, § 2; 1997, No. 918, § 1; 1999, No. 818, § 1; 2005, No. 2145, § 6; 2007, No. 1049, § 8; 2009, No. 1480, § 6.

6-53-308. Municipal contracts.

(a) The local board of a community college may contract with a municipality for:

(1) The transfer of real property, including any buildings or structures thereon from the college to the municipality;

(2) Any or all of the following:

(A) The construction, repair, and renovation of buildings or structures;

(B) The construction of additions to buildings or structures; and

(C) The provision of equipment, apparatus, library materials, and fixtures for the buildings or structures by the municipality; and

(3) (A) The long-term lease of at least fifty (50) years of the buildings or structures by the municipality to the college for nominal monetary and other valuable consideration.

(B) The leased building or structure shall be utilized by the college for educational purposes.

(b) The college may expend funds under the Arkansas College Savings Bond Act of 1989, § 6-62-701 et seq., and the college and the municipality may expend any other funds available pursuant to applicable law for the purposes set out in this section and for the operation of the facility or structure if the college receives a long-term lease of at least fifty (50) years.

(c) If, pursuant to subsection (a) of this section, the college receives a long-term lease of at least fifty (50) years, the college and the municipality are authorized jointly to do any or all of the following:

(1) Construct, repair, and renovate buildings or structures;

(2) Construct additions to buildings or structures; and

(3) Provide equipment, apparatus, library materials, and fixtures for the buildings or structures.

HISTORY: Acts 1997, No. 481, § 2.

6-53-401. Coordination with institutional boards of trustees.

All future mergers or consolidations of state-supported postsecondary vocational-technical institutions with existing community colleges, with branch campuses of four-year institutions, or with four-year institutions, shall be subject to the approval of the board of trustees of the institution, the Arkansas Higher Education Coordinating Board, and the Higher Learning Commission.

HISTORY: Acts 1991, No. 1244, § 13.

6-53-402. Two-year branches -- Conversion to technical college.

(a) A board of trustees of a four-year institution may, by resolution or when requested, petition the Arkansas Higher Education Coordinating Board to accept a two-year branch campus to be a technical college under the board's jurisdiction.

(b) Upon approval by the board and the Higher Learning Commission and upon assignment of a service area for the institution, the two-year branch campus shall be known as a technical college.

(c) All records, personnel, property, unexpended balances of appropriations, allocations, or other funds of the two-year branch campus shall be transferred to the board until a local board is appointed.

(d) Upon the appointment of a local board, all records, personnel, property, unexpended balances of appropriations, allocations, or other funds of the technical college shall be transferred to the local board.

(e) The local board shall be responsible for the administration and operation of the technical college and such other state-supported institutions within the system located in the service area designated by the state board as necessary to adequately meet the two-year postsecondary educational needs of those citizens located within the service area assigned to the technical college.

(f) Upon the establishment of the technical college, the two-year branch of the four-year institution shall be abolished.

(g) (1) Any technical college established under this section which fails to achieve higher education institutional accreditation from the commission within eight (8) years following the date of conversion shall be abolished by the state board.

(2) All records, personnel, property, unexpended balances of appropriations, allocations, or other funds of the technical college shall be transferred to the Department of Higher Education.

(h) (1) No state-supported vocational and technical institution in this state other than those provided for by this chapter shall convert to become a technical college if there is an existing community college located within the same county as the vocational and technical institution.

(2) The local board of any state-supported postsecondary institution and the board of a community college located within the same county, upon passage of a resolution by each board and with the approval by the state board and the commission, may merge the state supported postsecondary institution with the community college.

HISTORY: Acts 1991, No. 1244, §§ 15, 21; 1991, No. 1246, § 11; 1995, No. 603, § 1.

6-53-403. Technical colleges and two-year branches -- Conversion to community college.

(a) (1) The procedures for the conversion of a technical college or a two-year branch campus of a four-year institution to a community college shall, except as set forth herein, be the same as those in § 6-61-101 et seq. concerning formation of a community college district, and the provisions of this section shall be cumulative to the laws of this state governing the creation and operation of community colleges.

(2) Any postsecondary vocational-technical school which converts to a technical college under the provisions of this chapter or any two-year branch campus whose board of trustees petitions the Arkansas Higher Education Coordinating Board under this chapter shall be exempt from § 6-61-509(c), limiting the maximum number of community college districts in this state to eight (8), and may hereafter convert to become a community college with the approval of the Arkansas Higher Education Coordinating Board.

(b) Prior to the election, the Arkansas Higher Education Coordinating Board shall assist any group of citizens representing a proposed community college district within the service area containing the technical college in determining the feasibility of the proposed district and the adequacy of the proposed millage levy, if any.

(c) A board of trustees of a four-year institution shall when requested petition the state board to authorize an election for a two-year branch campus of the four-year institution to become a community college.

(d) (1) If a two-year branch campus of a four-year institution exists in the same county as either a postsecondary

vocational-technical institution or a technical college, the question on the ballot for formation of a community college district shall include the establishment of a community college composed of the two-year branch campus of the four-year institution and the postsecondary vocational-technical institution or technical college.

(2) In the event that an election is called for the formation of a community college district which includes the formation of a community college composed of a two-year branch campus of a four-year institution and a technical college or a postsecondary vocational-technical institution, the costs of the election shall be paid for by the institutions which will comprise the community college.

(e) (1) (A) (i) Following the conversion of a technical college to a community college, the members of the local board of the technical college shall become members of the community college board, with two (2) additional board members to be appointed by the Governor.

(ii) The Arkansas Higher Education Coordinating Board shall then draw lots, with three (3) lots for two-year terms, three (3) lots for four-year terms, and three (3) lots for six-year terms.

(B) All records, personnel, property, unexpended balances of appropriations, allocations, or other funds of the technical college shall be transferred to the local board of the community college.

(2) Upon the selection of the local board of the community college following the conversion of a two-year branch campus to a community college, the board of trustees of the four-year institution shall transfer all records, personnel, property, unexpended balances of appropriations, allocations, or other funds of the two-year branch to the local board of the community college.

(f) Except as set forth otherwise in this chapter, the local board shall have the same powers and duties as those enumerated in § 6-61-101 et seq.

(g) The local board of the community college shall be responsible for the administration and operation of all satellite campuses.

(h) No millage tax of the community college district shall be used for capital outlay expense or operating expense of a satellite campus.

(i) Upon the establishment of the community college, the postsecondary vocational-technical institution, the technical college, and the two-year branch of the four-year institution shall be abolished.

(j) (1) Any community college established under this section which fails to achieve higher education institutional accreditation from the Higher Learning Commission within eight (8) years following the date of conversion shall be abolished by the state board.

(2) All records, personnel, property, unexpended balances of appropriations, allocations, or other funds of the community college shall be transferred to the Department of Higher Education.

HISTORY: Acts 1991, No. 1244, § 22; 1991, No. 1246, § 11; 1993, No. 423, §§ 5, 6; 1995, No. 603, § 3; 1997, No. 1114, § 11.

6-53-404. Technical colleges -- Acceptance as branch campus of community college.

(a) A board of trustees of a community college may, by resolution or when requested, petition the Arkansas Higher Education Coordinating Board to accept a technical college located in the same service area to be a branch campus of the community college.

(b) All records, personnel, property, unexpended balances of appropriations, allocations, or other funds of above-listed state-supported institutions within the service area of the community college shall be transferred to the local board.

(c) The local board of the community college shall be responsible for the administration and operation of all state-supported postsecondary vocational-technical institutions located within its service area and consolidated by this chapter.

(d) (1) Until such time as territory containing the vocational-technical institution is joined to the community college district, the institution shall be operated as and known as a satellite campus of the community college.

(2) In cases where the vocational-technical institution is located within the community college district, upon consolidation, such institution shall be known as a branch campus of the community college, or if situated in close proximity to an existing community college campus no name distinction need be made for such institution.

(e) No millage tax of the community college district shall be used for capital outlay expense or operating expense of a satellite campus.

(f) The procedures for reconstituting districts under § 6-61-518 shall be followed to join additional territory containing the satellite campus to the existing community college district.

(g) Following the passage of the question to join territory containing the satellite campus to the existing community college district or to impose an additional millage for the community college district, the institution shall be known as a branch campus of the community college.

(h) (1) Any satellite campus of a community college which fails to become a branch campus of the community college or which fails to achieve higher education institutional accreditation from the Higher Learning Commission within eight (8) years following the date of transfer under subsection (b) of this section shall be abolished by the state board.

(2) All records, personnel, property, unexpended balances of appropriations, allocations, or other funds of the satellite campus shall be transferred to the Department of Higher Education.

HISTORY: Acts 1991, No. 1244, § 20; 1995, No. 603, § 4.

6-53-405. Consolidations.

(a) (1) As provided in this chapter or upon approval of the State Board of Career Education, the board of trustees of the receiving institution, the Arkansas Higher Education Coordinating Board, and the Higher Learning Commission thereafter, the board may consolidate a state-supported vocational-technical institution with a four-year institution or a two-year branch campus of a four-year institution.

(2) Following approval by the commission, the board, upon approval of the board of trustees of the receiving institution, shall consolidate the following state-supported vocational-technical institutions and four-year institutions or two-year branch campuses of a four-year institution: White River Vocational-Technical School with Arkansas State University-Beebe.

(b) The board of trustees of the four-year institution which receives a state-supported institution shall be responsible for the administration and operation of the state-supported institution.

(c) All records, personnel, property, unexpended balances of appropriations, allocations, or other funds of the state-supported institution shall be transferred to the board of trustees.

HISTORY: Acts 1991, No. 1244, § 23.

6-53-501. Definitions.

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

(1) "Articulation agreement" means a commitment to a program designed to provide students with a

nonduplicative sequence of progressive achievement leading to competencies in a tech-prep education program or in college transfer programs;

(2) "Tech-prep education program" means a combined secondary and postsecondary program which:

(A) Leads to an associate of applied science or other occupational degree or two-year certificate;

(B) Provides technical preparation in at least one (1) field of engineering technology, applied science, mechanical, industrial, or practical art or trade, or agriculture, health, or business;

(C) Builds student competence in mathematics, science, and communications, including through applied academics, through a sequential course of study; and

(D) Leads to placement in employment.

HISTORY: Acts 1991, No. 1244, § 29.

6-53-502. Grants for tech-prep education.

(a) The Arkansas Higher Education Coordinating Board and the State Board of Career Education shall jointly award grants for tech-prep education programs to consortia of:

(1) Public schools or area vocational education schools serving secondary school students; and

(2) Community colleges which offer a two-year associate degree program or a two-year certificate program; or

(3) Other state-supported institutions of higher education which offer a two-year associate of applied science or other occupational degree program or a two-year certificate program.

(b) From the amounts made available to the state, the Arkansas Higher Education Coordinating Board and the State Board of Career Education, in accordance with this subchapter, shall jointly award grants on a competitive basis or on the basis of a formula determined by both boards, for tech prep education programs.

(c) Each grant recipient shall use amounts provided under the grant to develop and operate a four-year tech-prep education program.

(d) Any such program shall:

(1) Be carried out under an articulation agreement between the participants in the consortium;

(2) Consist of:

(A) The two (2) years of secondary school preceding graduation and two (2) years of higher education; or

(B) An apprenticeship program of at least two (2) years following secondary instruction, with a common core of required proficiency in mathematics, science, communications, and technologies designed to lead to an associate degree or certificate in a specific career field;

(3) Include in-service training for teachers that:

(A) Is designed to train teachers to effectively implement tech-prep education curricula;

(B) Provides for joint training for teachers from all participants in the consortium; and

(C) May provide such training in weekend, evening, and summer sessions, institutes, or workshops;

(4) Include training programs for counselors designed to enable counselors to more effectively:

- (A) Recruit students for tech-prep education programs;
- (B) Ensure that such students successfully complete such programs; and
- (C) Ensure that such students are placed in appropriate employment;

(5) Provide equal access to the full range of technical preparation programs to individuals who are members of special populations, including the development of tech-prep education program services appropriate to the needs of such individuals; and

(6) Provide for preparatory services which assist all participants in such programs.

(e) In addition, each such program may:

(1) Provide for the acquisition of tech-prep education program equipment; and

(2) As part of the program's planning activities, acquire technical assistance from the state or local entities that have successfully designed, established, and operated tech-prep programs.

HISTORY: Acts 1991, No. 1244, § 29.

6-53-503. Applications for grants.

(a) Each consortium that desires to receive a grant under this subchapter shall submit an application to the director or the state board, as appropriate, at such time and in such manner as the state board shall prescribe through rule or regulation.

(b) Each application submitted under this subchapter shall contain a three-year plan for the development and implementation of activities under this subchapter.

HISTORY: Acts 1991, No. 1244, § 29.

6-53-504. Approval of applications -- Factors considered.

(a) The Arkansas Higher Education Coordinating Board and the State Board of Career Education shall approve applications based on their potential to create an effective tech-prep education program as provided in this subchapter.

(b) The two (2) boards shall give special consideration to applications which:

(1) Provide for effective employment placement activities or transfer of students to four-year baccalaureate degree programs;

(2) Are developed in consultation with business, industry, and labor unions; and

(3) Address effectively the issues of dropout prevention and reentry and the needs of minority youths, youths of limited English proficiency, youths with handicaps, and disadvantaged youths.

(c) In making grants under this subchapter, the two (2) boards shall ensure an equitable distribution of assistance throughout the state, and shall ensure an equitable distribution of assistance between urban and rural consortium participants.

(d) In the case of grants made by the two (2) boards, each grant recipient shall, with respect to assistance received under this subchapter, submit to the secretary such reports as may be required by the secretary to ensure that such grant recipient is complying with the requirements of this subchapter.

(e) After grant recipients who receive grants in the first year in which grants are made under this subchapter complete their eligibility under the program, the directors shall submit to the General Assembly a report evaluating the effectiveness of the program under this subchapter.

HISTORY: Acts 1991, No. 1244, § 29.

6-53-505. Designation of agency to receive federal funds.

The State Board of Career Education is hereby designated as the agency to receive the funds allocated to the state pursuant to the provisions of 20 U.S.C. § 2351 et seq.

HISTORY: Acts 1991, No. 1244, § 29.

6-53-601. Legislative findings and intent.

It is the intent and purpose of this subchapter to authorize the formation of technical college districts and the levy of ad valorem taxes in such districts not to exceed ten (10) mills on each dollar of assessed value of the taxable real and personal property of a district, with the revenues therefrom to be used for site acquisition, construction, equipping, and operation of technical colleges, as authorized in Arkansas Constitution, Amendment 52.

HISTORY: Acts 1993, No. 945, § 1.

6-53-602. Formation of a proposed district.

(a) (1) Upon request of the local board of a technical college or the Arkansas Higher Education Coordinating Board acting as a local board of a technical college, the Arkansas Higher Education Coordinating Board shall determine whether formation of a proposed technical college district is feasible according to criteria established by the Arkansas Higher Education Coordinating Board for the formation of a technical college district.

(2) The boundaries of the technical college district are to be determined by the local board or the Arkansas Higher Education Coordinating Board acting as the local board.

(b) (1) Within ten (10) calendar days after the Arkansas Higher Education Coordinating Board determines that the formation of a proposed district is feasible, the local board or the Arkansas Higher Education Coordinating Board acting as the local board shall notify the county board of election commissioners in each county of which any portion is in the proposed technical college district that an election will be held to determine whether the district shall be formed and whether an ad valorem tax shall be levied on property in the district to fund site acquisition, construction, equipping, and operation of the college.

(2) The local board or acting local board shall issue a proclamation and set a date for the election under § 7-11-201 et seq., but the date set for the election shall not be later than ninety (90) days after the publication of the proclamation.

(3) The local board or acting local board shall specify the wording of the ballot to be used for the election utilizing appropriate language similar to that found in § 6-61-513(c), and the county boards of election commissioners shall conduct the election in the manner provided by law for special elections.

(c) (1) Except as provided in subdivision (c)(2) of this section, if the establishment of a proposed technical college district fails because of an adverse vote by a majority of the qualified electors of the proposed district voting thereon at the election, no new election for the establishment thereof shall be held within a period of one (1) year after the date of the election.

(2) (A) If the formation of a proposed technical college district fails and the majority of votes cast in one (1) or more counties or cities in a proposed district were against the formation of the district, the local board or acting local board may notify the county boards of election commissioners that an election will be held on the issue of forming a

proposed district that does not include the county, city, counties, or cities in which the issue failed.

(B) The local board or acting local board shall issue a proclamation and set a date for the election in accordance with § 7-11-201 et seq.

(C) The procedures for an election to form a proposed reconstituted district shall be identical to the procedures for an election to establish a technical college district.

(d) (1) If the local board or acting local board of a technical college determines that the question of a tax levy in the technical college district should be submitted to the electors after the district is formed, it shall certify the millage requested to the county board of election commissioners of each county of which any portion is in the technical college district.

(2) The county boards shall place the question of the levy on the ballot at the next general election if the date of the general election is not less than sixty (60) calendar days after the county boards receive certification from the local board or acting local board.

(3) In the alternative, the local board or acting local board may set a date for a special election in accordance with § 7-11-201 et seq.

(4) The special election shall be conducted in the manner provided by law for other special elections.

HISTORY: Acts 1993, No. 945, § 1; 1997, No. 1114, § 12; 2005, No. 2145, § 7; 2007, No. 1049, § 9; 2009, No. 376, § 54; 2009, No. 1480, §§ 7-9.

6-53-603. Tax levy.

(a) (1) A tax levied under this subchapter shall be a continuing levy unless otherwise provided by law.

(2) It may be reduced or repealed, with the exception of the amount of tax required to service any outstanding bonds, or the tax may be increased upon approval thereof by a majority of the qualified electors of the district voting on the issue at an election called by the local board or acting local board to be held at least thirty (30) calendar days after the local board or acting local board notifies the county boards of election commissioners.

(b) The tax shall be collected in the manner now provided by law for the collection of county general taxes and promptly remitted by the county treasurer to the district.

(c) Revenues derived from a tax levied pursuant to this subchapter may be used for site acquisition, construction, equipping, or operation of a technical college or for any of such purposes.

HISTORY: Acts 1993, No. 945, § 1.

6-53-604. Dissolution of district -- Reduction of millage tax.

(a) A technical college district may be dissolved or the millage tax voted reduced or repealed, with the exception of the amount of tax required to service any outstanding bonds, upon approval by a majority of the qualified electors of the district voting on the issue at an election called for such purpose by the county boards of election commissioners upon submission of petitions signed by not less than ten percent (10%) of the qualified electors of the district based upon the total number of votes as cast therein for all candidates for the office of Governor in the last general election.

(b) The petitions shall be filed with the Secretary of State, who, within ten (10) days of the receipt and verification by the Secretary of State of the sufficiency of the petitions, shall notify the county boards of election commissioners that an election shall be held at a time not less than thirty (30) days nor more than one hundred eighty (180) days from the date of notification.

HISTORY: Acts 1993, No. 945, § 1.

6-53-605. Continuation of tax.

If a technical college for which a tax is levied thereafter becomes a branch of an existing institution of higher education, the tax levied under this subchapter shall continue to be levied and collected for the use and benefit of the branch unless reduced or repealed as authorized in § 6-53-603.

HISTORY: Acts 1993, No. 945, § 1.

6-61-201. Members -- Meetings.

(a) (1) The Arkansas Higher Education Coordinating Board shall consist of twelve (12) members appointed by the Governor as follows:

(A) Three (3) members shall be selected from the current or recent membership of the boards of public two-year colleges. If the person selected is serving on the membership of the board of a public two-year campus, the person shall relinquish his or her membership on the board;

(B) Three (3) members shall be selected from the current or recent membership of the boards of public four-year colleges or university campuses. If the person selected is serving on the membership of the board of a public four-year campus, the person shall relinquish his or her membership on the board; and

(C) (i) Six (6) members shall be selected from business, industry, education, agriculturally related industry, and medical services and shall not be current members of a board of a public two-year or four-year campus.

(ii) At least one (1) of the appointees shall have a strong interest in and commitment to economic and workforce development.

(iii) At least one (1) of the appointees shall have experience in the knowledge-based technology field.

(2) No more than four (4) members of the board shall be appointed from any one (1) congressional district as the districts exist at the time of the appointment.

(3) No more than two (2) members of the board at any one (1) time shall be graduates of an undergraduate program of any one (1) state university or college.

(b) After the appointment of the initial board, the members to be appointed from recent or current boards of two-year and four-year campuses shall be appointed by the Governor from a list of names submitted by the Presidents Council.

(c) Vacancies on the board shall be filled for the unexpired terms, and the appointments shall be made in the same manner as the positions vacated.

(d) (1) The members of the board shall serve staggered terms of six (6) years.

(2) The terms of two (2) members shall expire each year.

(3) The members may serve no more than two (2) terms.

(e) An intensive orientation program designed by the council shall be mandatory for board members.

(f) The board annually shall elect from its membership a chair and other officers necessary to carry on its business.

(g) (1) The board shall meet at least one (1) time during each calendar quarter and at other times upon the call of the

chair or of any other four (4) members.

(2) The board shall, at the times that it desires, meet on the campuses of the respective institutions of higher learning in the state.

(h) Members of the board shall serve without compensation but may receive expense reimbursement in accordance with § 25-16-901 et seq.

HISTORY: Acts 1977, No. 560, §§ 2, 3; A.S.A. 1947, §§ 80-4902, 80-4903; Acts 1991, No. 1244, § 4; 1997, No. 250, § 25; 1997, No. 1114, § 2; 1999, No. 1352, § 1; 2003 (1st Ex. Sess.), No. 25, § 36.

6-61-222. Uniform reporting standards.

(a) (1) The Arkansas Higher Education Coordinating Board is authorized and directed to establish uniform reporting standards to report biennially all current funds' revenues and expenditures associated with each academic department and, within each department, with the academic programs offered at each state-supported institution of higher education.

(2) Such reports shall be subject to biennial review by the board and House Committee on Education and the Senate Committee on Education.

(3) The reports shall be predicated on the following definitions:

(A) "Academic department" means each organizational and budgetary unit associated with the delivery of instruction, research, and public service activities;

(B) "Academic program" means any program of study leading to a degree or certificate and any other program as defined by the Department of Higher Education;

(C) "Academic department and program revenues" shall include tuition and fees, both undergraduate and graduate, endowments, gifts and grants, sponsored research, and all other revenues associated with each academic department and with specific academic programs;

(D) (i) "Academic department and program expenditures" shall include all direct and prorated indirect expenses.

(ii) Direct expenses include faculty salaries, staff salaries, fringe benefits, scholarships and fellowships, graduate stipends and graduate assistant tuition, student labor, materials and supplies, equipment, travel, and telephone.

(iii) Indirect expenses include central administrative management, institution-wide services, departmental administration, student services, research, indirect cost recovery, public services and information, financial aid, plant operations and maintenance, utilities, debt service, nonmandatory transfers, and all other indirect expenses.

(iv) Total academic department and program expenditures should equal the current funds' expenditures as reported in the institution's financial statement;

(E) "State subsidy" means that within each academic department, any difference between academic program revenues and academic program expenditures shall be determined to be the "state subsidy" of that academic program; and

(F) "Productivity by academic program" means the number of declared majors, the number of undergraduate and graduate student semester credit hours produced, and the number of degrees and certificates conferred in each program.

(4) The board is authorized to promulgate any rules or regulations necessary for the implementation of this

section and shall report to the House Committee on Education and the Senate Committee on Education the failure of an institution to comply with the provisions of this section.

(b) (1) By September 15 of each year, all state-supported institutions of higher education shall report academic department and program revenues, expenditures, and productivity utilizing the uniform report established by the board.

(2) The academic department and program report shall identify undergraduate and graduate programs that produce fewer graduates than are required to meet the degree productivity standards set by the board.

(3) The board shall review the institutional reports and submit them to the House Committee on Education and the Senate Committee on Education by January 15 of each odd-numbered year.

(c) The board is further authorized and directed to establish uniform reporting standards to report any other information that may be required to meet any other state or federal statutory or regulatory requirements.

(d) The report required under this section shall be separate from the cost-of-remediation reports required under § 6-61-221.

HISTORY: Acts 1993, No. 376, §§ 1, 2; 1993, No. 537, §§ 1, 2; 1995, No. 392, § 1; 1997, No. 112, §§ 15, 16; 1999, No. 523, § 1; 2011, No. 696, § 3.

6-82-1001. [Repealed.]

6-82-1002. [Repealed.]

6-82-1003. [Repealed.]

6-82-1004. [Repealed.]

6-82-1005. [Repealed.]

6-82-1006. [Repealed.]

6-82-1007. [Repealed.]

6-82-1008. [Repealed.]

6-82-1009. [Repealed.]

6-82-1010. [Repealed.]

6-82-1011. [Repealed.]

6-85-101. Legislative findings and declarations of public necessity.

The General Assembly hereby recognizes that taking the proper coursework in high school is essential for success in college. Arkansas high school students who complete the recommended precollegiate or technical preparation core curriculum score significantly higher on standardized preadmission tests and are more likely to be successful in college. Because the State of Arkansas also benefits from the academic success of well-prepared college students, there is hereby established the Arkansas Academic Challenge Scholarship Program, a college scholarship plan to promote academic achievement and encourage academically prepared Arkansas high school graduates to enroll in the state's colleges and universities and to encourage students to enter the field of teaching for the purpose of teaching in subject matter areas of critical teacher shortage or in geographical areas of critical teacher shortage in the state.

HISTORY: Acts 2009, No. 605, § 4; 2009, No. 606, § 4.

6-85-102. Creation.

There is hereby created and established the Arkansas Academic Challenge Scholarship Program -- Part 1.

HISTORY: Acts 2009, No. 605, § 4; 2009, No. 606, § 4.

6-85-103. Applicability -- Expiration.

(a) This subchapter is applicable to students who:

(1) Applied for a scholarship under the Arkansas Academic Challenge Scholarship Program, § 6-82-1001 et seq. [repealed], and maintain eligibility under this subchapter; or

(2) Apply for a scholarship under this subchapter for the academic year 2009-2010, receive the scholarship, and maintain eligibility thereafter.

(b) Except to the extent of the award amount under § 6-85-107(b)(2), a recipient of a scholarship under this subchapter shall not receive an additional scholarship under the Arkansas Academic Challenge Scholarship Program -- Part 2, § 6-85-201 et seq.

(c) This subchapter will expire on June 30, 2015.

HISTORY: Acts 2009, No. 605, § 4; 2009, No. 606, § 4.

6-85-104. Definitions.

As used in this subchapter:

(1) "Approved institution" means an institution of higher education approved by the Department of Higher Education to participate in the Arkansas Academic Challenge Scholarship Program that is:

(A) A state-supported institution of higher education;

(B) A private, nonprofit institution of higher education with its primary headquarters located in Arkansas that is eligible to receive Title IV federal student aid funds; or

(C) A nursing school with its primary headquarters located in Arkansas that is eligible to participate in Title IV federal student aid programs and has been;

(2) "Eligible student" means any student who:

(A) Meets the criteria set out by this subchapter; and

(B) Is deemed to be eligible by rules authorized by this subchapter and promulgated by the Department of Higher Education;

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

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

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

(5) "Recipient" means an applicant awarded a scholarship funded through the program;

(6) "Tuition" means charges levied for attendance at an approved institution, including mandatory fees charged to all full-time undergraduate students by an approved institution; and

(7) "Unemancipated child" means a dependent child as defined by the United States Department of Education for student aid purposes.

HISTORY: Acts 2009, No. 605, § 4; 2009, No. 606, § 4.

6-85-105. Authority of Department of Higher Education.

(a) The Department of Higher Education is authorized by this subchapter to develop and promulgate rules for the administration of the Arkansas Academic Challenge Scholarship Program, consistent with the purposes and requirements of this subchapter.

(b) The rules shall include student eligibility criteria based on the provisions of this subchapter, the method for selecting scholarship recipients, rules for determining continuing eligibility, procedures for making payment to recipients, and other administrative procedures that may be necessary for the implementation and operation of the program.

(c) Until the end of fiscal year 2011, the Department of Higher Education is authorized to expend each year for data processing and other administrative costs of this program up to one and five-tenths percent (1.5%) of the amount appropriated for the programs.

(d) Applicants must certify that they are drug-free and must pledge in writing on the application form to refrain from the use or abuse of illegal substances in order to maintain eligibility for this program.

(e) (1) The Department of Education and the Department of Higher Education are directed to develop appropriate informational materials on the Arkansas Academic Challenge Scholarship Program and to ensure their distribution to Arkansas students in grades seven through twelve (7-12) each year as part of the packet of materials on precollegiate preparation distributed by the Department of Education as mandated by § 6-61-217.

(2) The distribution of information shall be accomplished through the collaboration of school counselors and other appropriate school personnel.

(f) The Director of the Department of Higher Education is authorized to review and evaluate the operation of the program with regard to eligibility criteria and size of the scholarship award to ensure that the program's operation meets the intent of this subchapter.

(g) The Department of Higher Education is authorized to determine the necessary procedures for the awarding of scholarships should the number of eligible applicants exceed the funds available.

(h) The Department of Higher Education shall report to the General Assembly annually regarding the implementation of the provisions of this subchapter.

HISTORY: Acts 2009, No. 605, § 4; 2009, No. 606, § 4.

6-85-106. Eligibility.

(a) Eligibility for the Arkansas Academic Challenge Scholarship Program is based on the criteria under this section and rules promulgated under this subchapter by the Department of Higher Education.

(b) An applicant is eligible for an award from this program if the applicant meets all of these criteria:

(1) The applicant graduated from an Arkansas high school;

(2) The applicant has been a resident of the State of Arkansas for at least twelve (12) months before graduation from an Arkansas high school, and the applicant's parent or guardian has maintained Arkansas residency for the same period of time;

(3) The applicant is a citizen of the United States or is a lawful permanent resident;

(4) The applicant is accepted for admission at an approved institution as a full-time first-time freshman as defined by the Department of Higher Education and enrolls in an approved institution within twelve (12) months of the applicant's high school graduation;

(5) (A) (i) Except as provided in subdivision (b)(5)(B) of this section, the applicant has successfully completed the core curriculum established by the State Board of Education and the Arkansas Higher Education Coordinating Board under § 6-61-217.

(ii) An applicant who graduates from an Arkansas high school on or before December 31, 2009, and who meets the provisions of subdivisions (b)(1)-(4) of this section but who has not completed the core curriculum defined in this subdivision (b)(5)(A) by the end of the senior year of high school due to the unavailability of the courses in the applicant's high school shall have a grace period of twelve (12) months from the date of high school graduation in which to make up any course deficiencies required for program eligibility.

(B) An applicant who graduates from an Arkansas high school after December 31, 2009, shall have:

(i) Successfully completed the Smart Core curriculum as established by the Department of Education; and

(ii) (a) Demonstrated proficiency in the application of knowledge and skills in reading and writing literacy and mathematics by passing the end-of-course assessments developed by the Department of Education.

(b) "End-of-course" assessments means those assessments defined in § 6-15-419.

(C) All applicants shall have achieved:

(i) Either:

(a) A grade point average of 3.0 on a 4.0 scale in the set of core curriculum courses if enrolling at an approved four-year institution; or

(b) A grade point average of 2.75 on a 4.0 scale in the set of core curriculum courses if enrolling at an approved two-year institution; and

(ii) A minimum composite score of nineteen (19) or higher on the American College Test or the equivalent as defined by the Department of Higher Education.

(D) (i) The grade point average requirements of subdivision (b)(5)(C) of this section may be reduced to no lower than a 2.5 on a 4.0 scale by a rules change by the Department of Higher Education if it is determined by the Department of Higher Education, based on the most recent evaluation of the program's operation, that the change to a 3.0 or 2.75 grade point average on a 4.0 scale would unduly reduce the number of low-income or disadvantaged students who would otherwise be eligible for the program.

(ii) At the Department of Higher Education's discretion, the Department of Higher Education may make the

reduction for admissions to institutions with a high percentage of students receiving full Pell Grants upon petition to the Department of Higher Education by the institution.

(E) (i) The Department of Higher Education may develop selection criteria through program rules that combine an applicant's American College Test or equivalent score and grade point average in the core curriculum into a selection index.

(ii) Notwithstanding the provisions of subdivision (b)(5)(D) of this section, this selection index shall be employed as an alternative selection process for applicants who achieve a grade point average higher than 2.75 if attending an approved two-year institution or 3.0 if attending a four-year institution on a 4.0 scale in the set of core curriculum courses defined in subdivision (b)(5)(A) of this section or for applicants who have an American College Test composite or equivalent score greater than nineteen (19);

(6) (A) An applicant shall demonstrate financial need as defined by the Department of Higher Education.

(B) The Department of Higher Education shall use the following criteria in calculating financial need for applicants who graduated from an Arkansas high school after December 31, 2000, but before December 31, 2004:

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

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

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

(iv) Any applicant whose family includes more than one (1) unemancipated child enrolled full time at an approved institution shall be entitled to an additional ten thousand dollars (\$ 10,000) of adjusted gross income for each additional unemancipated child enrolled full time at an approved institution when the Department of Higher Education calculates financial need.

(C) In calculating financial need for applicants who graduate from an Arkansas high school after December 31, 2006, a Free Application for Federal Student Aid or a subsequent application required by the United States Department of Education for federal financial aid shall be filed by the applicant or other proof of family income as defined by the Department of Higher Education. The following criteria shall be used:

(i) An applicant whose family includes one (1) unemancipated child shall have an average family adjusted gross income over the previous two (2) years not exceeding sixty-five thousand dollars (\$ 65,000) per year at the time of application to the program;

(ii) An applicant whose family includes two (2) unemancipated children shall have an average family adjusted gross income over the previous two (2) years not exceeding seventy thousand dollars (\$ 70,000) per year at the time of application to the program;

(iii) An applicant whose family includes three (3) or more unemancipated children shall have an average family adjusted gross income over the previous two (2) years not exceeding seventy-five thousand dollars (\$ 75,000) per year at the time of application to the program, plus for families with more than three (3) unemancipated children, an additional five thousand dollars (\$ 5,000) per year for each additional child; and

(iv) Any applicant whose family includes more than one (1) unemancipated child enrolled full time at an approved institution of higher education shall be entitled to an additional ten thousand dollars (\$ 10,000) of adjusted

gross income for each additional unemancipated child enrolled full time at an approved institution of higher education when the Department of Higher Education calculates financial need.

(c) (1) The Arkansas Higher Education Coordinating Board shall have the authority to increase these financial need family income limitations if sufficient additional funds become available.

(2) Financial need criteria necessary for the selection of recipients, including those defined as emancipated or independent by federal student aid regulations, shall be established through rules issued by the Department of Higher Education.

(d) Recipients of Arkansas Governor's Distinguished Scholarships are prohibited from receiving Arkansas Academic Challenge Scholarships.

(e) As an additional component to the Arkansas Academic Challenge Scholarship Program:

(1) Each applicant for the scholarship shall agree that for each year the scholarship is awarded he or she may volunteer to serve as a literacy tutor for a minimum of twenty (20) clock hours each semester in a public school or a faith-based educational institution serving students in prekindergarten through grade six (preK-6);

(2) A recipient who agrees to volunteer as a literacy tutor:

(A) Shall complete the prerequisite training in literacy and college readiness skills provided under § 6-85-211 before he or she begins tutoring;

(B) May receive college credit for the tutoring as determined by the institution of higher education where the recipient is enrolled; and

(C) Shall receive the prerequisite training in literacy and college readiness from an accredited Arkansas institution of higher education based on training modules developed by the Department of Education; and

(3) An enrolled college student who participates in the tutorial program and fails to meet the Arkansas Academic Challenge Scholarship Program academic eligibility requirement for the fall or spring semester shall be given the probationary opportunity during the subsequent spring or summer term to continue his or her education and improve academic performance prior to losing scholarship funding in the subsequent semester.

HISTORY: Acts 2009, No. 605, § 4; 2009, No. 606, § 4.

6-85-107. Duration -- Amount.

(a) A recipient who graduated from high school after December 31, 2000, shall receive a scholarship for one (1) academic year renewable for up to three (3) additional academic years if the recipient meets the following continuing eligibility criteria:

(1) The recipient earns a cumulative grade point average of 2.75 or higher based on a 4.0 scale at an approved institution;

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

(3) The recipient meets any other continuing eligibility criteria established by the Department of Higher Education.

(b) (1) Beginning with awards made for the 2005-2006 academic year and thereafter for recipients who graduated from high school after December 31, 2001, the amount of the annual scholarship awarded to each recipient shall be graduated as follows:

(A) A recipient in his or her freshman year shall be awarded an amount not to exceed two thousand five hundred dollars (\$ 2,500);

(B) A recipient in his or her sophomore year shall be awarded an amount not to exceed two thousand seven hundred fifty dollars (\$ 2,750);

(C) A recipient in his or her junior year shall be awarded an amount not to exceed three thousand dollars (\$ 3,000); and

(D) A recipient in his or her senior year shall be awarded an amount not to exceed three thousand five hundred dollars (\$ 3,500).

(2) A recipient under this subchapter shall receive the greater of the award under subdivision (b)(1) of this section or the award amount for the same academic year for a full-time recipient under the Arkansas Academic Challenge Scholarship Program -- Part 2, § 6-85-201 et seq.

HISTORY: Acts 2009, No. 605, § 4; 2009, No. 606, § 4.

6-85-108. Nursing school eligibility.

(a) (1) The General Assembly recognizes that the State of Arkansas is experiencing a critical shortage of nurses.

(2) It is the intent of this section to allow the Department of Higher Education the opportunity to include associate degree granting and diploma schools of nursing in the Arkansas Academic Challenge Scholarship Program under specific circumstances.

(b) The department shall make awards to applicants attending either an associate degree or diploma school preparing registered nurses that is approved by the Arkansas State Board of Nursing and which would not otherwise be an approved institution if:

(1) The nursing school is specifically recognized by the department as a school of nursing eligible to participate in the Arkansas Academic Challenge Scholarship Program; and

(2) The recipient meets continuing eligibility requirements in § 6-85-106.

(c) The scholarships awarded to recipients under this section shall be subject to § 6-85-105(g).

(d) The Arkansas Higher Education Coordinating Board and the department shall promulgate rules necessary for the implementation of this section.

HISTORY: Acts 2009, No. 605, § 4; 2009, No. 606, § 4; 2009, No. 1405, § 1.

6-85-109. Priority for teaching commitment.

(a) During times of funding shortages under the Arkansas Academic Challenge Scholarship Program, the Department of Higher Education shall give a priority to awards to applicants meeting all eligibility requirements under the program who agree to accept a forgivable loan, as set forth in this section, in lieu of a scholarship and who agree to teach, as required under § 6-85-110, in a:

(1) Subject matter area designated by the Department of Education as having a critical shortage of teachers; or

(2) Geographical area of the state designated by the Department of Education as having a critical shortage of teachers.

(b) The Department of Higher Education shall make awards under this subchapter as follows:

(1) First, to applicants who agree to the provisions of this section; and

(2) Then to applicants eligible under § 6-85-106(b).

(c) Forgivable loans awarded under this section shall be paid from appropriations to the program.

HISTORY: Acts 2009, No. 605, § 4; 2009, No. 606, § 4.

6-85-110. Teaching requirements.

(a) (1) At the beginning of the first school year in which a recipient of a forgivable loan under § 6-85-109 is eligible for employment as a licensed teacher, that recipient shall begin to render service as a licensed teacher in a public school district in the state:

(A) In a subject matter area designated by the Department of Education as having a critical shortage of teachers if the recipient's award was made under § 6-85-109(a)(1); or

(B) In a geographical area of the state designated by the Department of Education as having a critical shortage of teachers if the recipient's award was made under § 6-85-109(a)(2).

(2) (A) Any recipient receiving a forgivable loan under § 6-85-109 who received four (4) annual awards or the equivalent of four (4) annual awards shall render four (4) years' service as a licensed teacher.

(B) Any person who received a forgivable loan under § 6-85-109 in an amount less than four (4) annual awards or the equivalent of four (4) annual awards shall render one (1) year's service as a licensed teacher for each year that the person received a full-time student forgivable loan or for the number of academic hours equivalent to one (1) school year, as determined by the Department of Higher Education, for which a part-time student received a forgivable loan.

(b) Any person receiving a forgivable loan shall execute a note made payable to the Department of Higher Education for an amount equal to the scholarship award each semester that shall bear interest at a rate to be determined by the Department of Higher Education and set forth in the note after completion of the program or immediately after termination of the forgivable loan, whichever is earlier.

(c) Any person failing to complete a program of study that will enable the person to become a licensed teacher shall begin repaying the note according to the terms of the note for the sum of all forgivable loan awards made to that person less the corresponding amount of any awards for which service has been rendered.

(d) (1) Except as provided in subdivision (d)(2) of this section, any person failing to complete the teaching obligation as required by this subchapter shall become immediately liable to the Department of Higher Education for the sum of all forgivable loan awards made to that person less the corresponding amount of any awards for which service has been rendered according to the note's terms.

(2) The Department of Higher Education may defer payment on the note if an employment position is not immediately available upon a teacher's completion of licensure requirements or for other just cause as determined by the Department of Education.

(3) After the period of deferral, the person shall begin or resume teaching duties as required under this section or shall become liable to the Department of Higher Education under this section.

(e) If a claim for payment under this section is placed in the hands of an attorney for collection, the obligor shall be liable for an additional amount equal to a reasonable attorney's fee.

(f) The obligations made by the recipient of a forgivable loan under § 6-85-109 and this section shall not be voidable by reason of the age of the student at the time of receiving the forgivable loan award.

HISTORY: Acts 2009, No. 605, § 4; 2009, No. 606, § 4.

6-85-111. End-of-course assessment requirements.

The Department of Higher Education may recognize a sub-score of nineteen (19) or higher in the applicable subject area on the American College Test as meeting the requirements for passing end-of-course assessments under the Arkansas Academic Challenge Scholarship Program and the Arkansas Governor's Scholars Program for a student who:

- (1) Has not had an opportunity to take an end-of-course assessment;
- (2) Has not passed the end-of-course assessment; or
- (3) Is attending a private school or home school.

HISTORY: Acts 2009, No. 605, § 4; 2009, No. 606, § 4.

6-85-201. Findings.

The General Assembly finds that:

(1) In approving Arkansas Constitution, Amendment 87, the citizens of this state provided an opportunity to increase the resources provided for higher education scholarships and grants through a state lottery; and

(2) The net proceeds from the state lottery, in addition to existing nonlottery state educational resources for scholarships and grants, will:

(A) Encourage associate degree recipients and university juniors to complete a baccalaureate degree;

(B) Provide opportunities for students more than one (1) year out of high school to enter or reenter higher education;

(C) Provide an improved system of communication to students and parents about opportunities for higher education scholarships and grants in Arkansas; and

(D) Provide an evaluation and analysis of all state funding for scholarships and grants and how the funding advances the state's goals for higher education.

HISTORY: Acts 2009, No. 605, § 4; 2009, No. 606, § 4.

6-85-202. Creation.

The Arkansas Academic Challenge Scholarship Program -- Part 2 is hereby created and established.

HISTORY: Acts 2009, No. 605, § 4; 2009, No. 606, § 4.

6-85-203. Applicability.

(a) This subchapter is applicable to students who apply for a scholarship under the Arkansas Academic Challenge Scholarship Program -- Part 2 for the academic year 2010-2011 and each academic year thereafter.

(b) Except to the extent of an award amount under § 6-85-107(b)(2), a recipient of a scholarship under the Arkansas Academic Challenge Scholarship Program -- Part 1, § 6-85-101 et seq., is not eligible for an additional scholarship under this subchapter.

(c) Recipients of Arkansas Governor's Distinguished Scholarships are prohibited from receiving Arkansas Academic Challenge Scholarships under this subchapter.

HISTORY: Acts 2009, No. 605, § 4; 2009, No. 606, § 4.

6-85-204. Definitions.

As used in this subchapter:

- (1) "ACT" means the ACT Assessment administered by ACT, Inc.;
- (2) "ACT equivalent" means the Scholastic Aptitude Test (SAT), COMPASS, Accuplacer, or other nationally normed test that is correlated with the ACT and approved by the Department of Higher Education for use by institutions of higher education to assess a person's college readiness;
- (3) "Approved institution of higher education" means an institution of higher education approved by the Department of Higher Education to participate in the Arkansas Academic Challenge Scholarship Program -- Part 2 and that is:
 - (A) A state-supported two-year or four-year college or university;
 - (B) A private, nonprofit two-year or four-year college or university with its primary headquarters located in Arkansas that is eligible to receive Title IV federal student aid funds; or
 - (C) An approved school of nursing, subject to the provisions of § 6-85-213(c);
- (4) "Approved school of nursing" means a school of nursing with its primary headquarters located in Arkansas that:
 - (A) Prepares students as registered nurses;
 - (B) Grants nursing diplomas;
 - (C) Is eligible to participate in Title IV federal student aid programs;
 - (D) Is approved by the Arkansas State Board of Nursing;
 - (E) Has been approved by the Department of Higher Education as eligible to participate in the Arkansas Academic Challenge Scholarship Program; and
 - (F) Is not a two-year or four-year college or university;
- (5) "Arkansas resident" means a natural person who provides evidence deemed sufficient by the Department of Higher Education that:
 - (A) For the twelve-month period required under § 6-85-206(1), the person:
 - (i) Maintained a permanent home in Arkansas where the person resides for an average of no less than four (4) days and nights per calendar week; and
 - (ii) Either:
 - (a) Is an Arkansas registered voter;
 - (b) Holds a valid Arkansas motor vehicle driver's license;
 - (c) Receives benefits under an Arkansas public assistance program;

- (d) Uses an Arkansas residence address for federal or state tax purposes; or
 - (e) Claims Arkansas as a residence to hold public office or for judicial actions; or
- (B)** Before the deadline for filing a scholarship application under this subchapter the applicant:
- (i) Is on active military status;
 - (ii) Qualifies for in-state tuition and fees under § 6-60-205; and
 - (iii) Meets one (1) of the conditions under subdivision (5)(A)(ii) of this section;
- (6)** "Continuously enrolled" means:
- (A)** For a traditional student, he or she successfully completes at an approved institution of higher education twenty-seven (27) semester hours in the first academic year as a recipient and successfully completes thirty (30) semester hours each academic year thereafter, not including any summer term;
 - (B)** For a full-time nontraditional student, he or she successfully completes at an approved institution of higher education at least fifteen (15) semester hours of courses in consecutive semesters, not including a summer term;
 - (C)** For a full-time current achiever student, he or she:
 - (i) Before receiving a scholarship under this subchapter, successfully completed at least twelve (12) semester hours of courses in consecutive semesters, not including a summer term; and
 - (ii) As a recipient of a scholarship under this subchapter, successfully completes at an approved institution of higher education at least fifteen (15) semester hours of courses in consecutive semesters, not including a summer term;
 - (D)** For a part-time nontraditional student, he or she successfully completes at an approved institution of higher education at least six (6) semester hours of courses in consecutive semesters, not including a summer term; and
 - (E)** For a student who is enrolled in a degree plan that has a maximum number of semester hours in a semester that is less than the requirements of subdivisions (5)(A)-(D) of this section, he or she successfully completes at an approved institution of higher education the maximum number of hours required by the degree plan for the semester;
- (7)** "Current achiever student" means a student:
- (A)** Who meets the requirements of § 6-85-209; and
 - (B)** Is not a traditional student or a nontraditional student;
- (8)** "End-of-course assessment" means an examination taken at the completion of a course of study to determine whether a student demonstrates attainment of the knowledge and skills necessary for mastery of that subject;
- (9)** "Enrolled" means that the approved institution of higher education where the student is attending class counts the student as enrolled for the hours claimed on the last day to add or drop a class at the approved institution of higher education;
- (10)** "General Educational Development test" means a test measuring the knowledge and skills usually learned in high school that is administered by a state-approved institution or organization;
- (11)** "High school grade point average" means the numbered grade average on a student's high school transcript calculated:

(A) For a traditional student, using the first seven (7) of the last eight (8) semesters the student completed prior to graduating high school; or

(B) For a nontraditional student, using the last eight (8) semesters the student completed before graduating high school;

(12) "Lawful permanent resident" means a non-United States citizen who resides in the United States under a legally recognized and lawfully recorded permanent residence and who may receive state public benefits under 8 U.S.C. § 1622;

(13) "Net proceeds from the state lottery" means lottery proceeds for one (1) fiscal year less the operating expenses defined in § 23-115-103 for the fiscal year;

(14) "Nonlottery state educational resources" means the funding available for state-supported scholarships and grants for students enrolled in postsecondary education in this state that:

(A) The General Assembly makes available from general revenue to the Higher Education Grants Fund Account without consideration of the availability of proceeds from the state lottery; and

(B) The Department of Finance and Administration estimates is available for distribution to the Higher Education Grants Fund Account during a fiscal year from the Educational Excellence Trust Fund;

(15) "Nontraditional student" means a student who is not a traditional student or a current achiever student;

(16) "Personally identifiable student data" means any information that, alone or in combination with other available information, is linked or linkable to a specific student that would allow a reasonable person in the student's school community to identify the student with reasonable certainty;

(17) "Postsecondary grade point average" means the cumulative numbered grade average for college credit courses as calculated using a 4.0 scale;

(18) "Qualified certificate program" means a program:

(A) That is offered by an approved institution of higher education;

(B) For which credit hours are awarded that are creditable toward an associate degree or baccalaureate degree; and

(C) Recognized by the United States Department of Education for financial aid purposes;

(19) "Recipient" means an applicant awarded a scholarship funded through the program;

(20) "Scholarship hold" means the temporary suspension of a scholarship award to a traditional student under this subchapter approved by the Department of Higher Education under § 6-85-221;

(21) "Semester" means one-half (1/2) of a traditional academic year at an institution of higher education, or an equivalent approved by the Department of Higher Education, in which a student enrolls for not less than:

(A) Fifteen (15) credit hours as a full-time student, except that in the first semester as a first-time full-time freshman, a traditional student shall enroll in not less than twelve (12) credit hours; or

(B) Six (6) credit hours as a part-time student;

(22) "Smart Core" means:

(A) The college and career readiness curriculum by that name under rules of the State Board of Education; or

(B) A college and career readiness curriculum that is:

- (i) Established by rules of the state board in coordination with the Department of Higher Education; and
- (ii) Substituted for the curriculum named "Smart Core";

(23) "State-supported student financial assistance" means a state-supported scholarship, grant, tuition waiver, or tuition reimbursement funded with state funds or net proceeds from the state lottery awarded by:

(A) The Department of Higher Education; or

(B) A scholarship or grant awarded by an institution of higher education in this state in whole or in part by state funds, including without limitation:

- (i) Scholarships awarded on the basis of entrance exam scores or high school academic achievement;
- (ii) Tuition waivers based on age, military service, occupation, or other factors;
- (iii) Out-of-state tuition waivers for undergraduate students from contiguous states in close proximity to a college or university;
- (iv) Scholarships for transfers from two-year institutions;
- (v) Performance scholarships for band, musical performing groups, arts, theater, forensics, and similar activities that are not awarded on the basis of entrance exam scores or high school academic achievement; and
- (vi) Any other publicly funded program under which students are not charged or are reimbursed by the institution of higher education for tuition, fees, books, or other costs of attendance;

(24) "Successfully completed" means that a student completed a course at an institution of higher education and received the equivalent of a minimum letter grade of "D";

(25) **(A)** "Supplant" means that the net proceeds from the state lottery are used in place of, not in addition to, state nonlottery educational resources provided for state-supported student financial assistance for a specified fiscal year.

(B) Supplanting does not occur if the General Assembly provided the state nonlottery educational resources as if the lotteries under the Arkansas Scholarship Lottery Act, § 23-115-101 et seq., do not exist; and

(26) **(A)** "Traditional student" means a student who:

(i) Will enter postsecondary education as a full-time first-time freshman on or before the fall semester of the academic year that begins immediately following:

- (a)** The student's graduation from high school; or
- (b)** The last day of the school year:

(1) That would have been the student's junior or senior year of high school; and

(2) In which the student completes the requirements for high school graduation and obtains a General Educational Development certificate instead of receiving a diploma; and

(ii) Remains continuously enrolled as a full-time student.

(B) "Traditional student" includes a student who otherwise meets this definition but delays entering postsecondary education under a scholarship hold approved by the Department of Higher Education.

(C) "Traditional student" does not include a current achiever student.

HISTORY: Acts 2009, No. 605, § 4; 2009, No. 606, § 4; 2009, No. 1405, §§ 2, 3; 2010, No. 265, § 1; 2010, No. 294, § 1; 2011, No. 207, §§ 4, 5; 2013, No. 1173, §§ 3, 4; 2013, No. 1263, § 1.

6-85-205. Authority and duties of the Department of Higher Education.

(a) (1) The Department of Higher Education shall develop and promulgate rules for the administration of the Arkansas Academic Challenge Scholarship Program consistent with the purposes and requirements of this subchapter.

(2) The Arkansas Lottery Commission Legislative Oversight Committee shall perform the function of the Legislative Council required by law for the review of a proposed rule or proposed change to a rule promulgated by the Department of Higher Education under this subchapter.

(b) The rules developed and promulgated by the Department of Higher Education under this section shall pertain to:

(1) Student eligibility criteria based on this subchapter;

(2) The method for selecting scholarship recipients and for determining continuing eligibility;

(3) The procedures for making payment to an approved institution of higher education where the recipient is enrolled; and

(4) Other administrative procedures that may be necessary for the implementation and operation of the program.

(c) The Department of Higher Education shall implement a complete financial aid management system that uses a single application form that may be accessed as a web-based application for all Arkansas state-supported student financial assistance administered by the Department of Higher Education, including:

(1) Scholarships awarded under this subchapter or other state law that are funded with net proceeds from the state lottery; and

(2) Scholarships, grants, or other financial assistance for higher education students funded with nonlottery state educational resources.

(d) (1) The Department of Education and the Department of Higher Education are directed to develop appropriate informational materials on the Arkansas Academic Challenge Scholarship Program and to ensure distribution of the materials to Arkansas students in grade seven through grade twelve (7-12) each year as a part of the packet of materials on precollegiate preparation distributed by the Arkansas Higher Education Coordinating Board under § 6-61-217 and by the Department of Education under the Higher Education Awareness Act of 1993, § 6-5-401 et seq.

(2) The distribution of informational materials under this section shall be accomplished through the collaboration of school counselors and other appropriate public school or Department of Higher Education personnel.

(3) The Department of Higher Education shall provide a copy of the informational materials developed under this section to the Arkansas Lottery Commission Legislative Oversight Committee for its review.

(e) The Director of the Department of Higher Education shall review and evaluate the operation of the program with regard to eligibility criteria and size of the scholarship award to ensure that the program's operation meets the intent of this subchapter.

(f) The Department of Higher Education may determine the necessary procedures for the awarding of scholarships if

the number of eligible applicants exceeds the funds available based on the criteria under this subchapter.

(g) (1) (A) By July 15 of each year, the Director of the Department of Higher Education shall provide a report to the Arkansas Lottery Commission Legislative Oversight Committee on:

(i) The implementation of this subchapter;

(ii) The number of recipients that either:

(a) Dropped out during the academic year; or

(b) Lost the scholarship during the academic year; and

(iii) Any additional information requested by the Arkansas Lottery Commission Legislative Oversight Committee.

(B) The Arkansas Lottery Commission Legislative Oversight Committee shall include the information reported under this subsection in its annual report to the General Assembly under § 6-85-220.

(2) By August 1 of each year, the Department of Higher Education shall provide to the Arkansas Lottery Commission Legislative Oversight Committee an unaudited financial report on the administration of the Arkansas Academic Challenge Scholarship Program for the fiscal year just ended.

HISTORY: Acts 2009, No. 605, § 4; 2009, No. 606, § 4; 2010, No. 265, §§ 2-4; 2010, No. 294, §§ 2-4.

6-85-206. Basic eligibility requirements.

The basic requirements for an applicant to be eligible for an award from the Arkansas Academic Challenge Scholarship Program -- Part 2 are:

(1) (A) The applicant has been an Arkansas resident for at least the twelve (12) months immediately preceding the date the applicant will enroll in an approved institution of higher education.

(B) If the applicant is less than twenty-one (21) years of age, either the applicant or a parent or guardian of the applicant shall have maintained Arkansas residency for at least the twelve (12) months immediately preceding the date the applicant will enroll in an approved institution of higher education.

(C) (i) To be considered an Arkansas resident, an applicant shall demonstrate residency by evidence deemed sufficient to the Department of Higher Education.

(ii) Evidence of residency may include without limitation information provided by the applicant on the Free Application for Federal Student Aid or a subsequent application required by the United States Department of Education for federal financial aid.

(D) During the twelve (12) months immediately preceding the date an applicant will enroll in an approved institution of higher education if the person for whom the twelve-month period is calculated under subdivision (1)(A) or (1)(B) of this section is deployed outside of Arkansas under military orders, the Department of Higher Education shall calculate the twelve (12) months by:

(i) Excluding months of military deployment outside of Arkansas that are within the twelve (12) months immediately preceding the date the applicant will enroll in an approved institution of higher education; and

(ii) Including months the person maintained Arkansas residency immediately preceding the military deployment outside of Arkansas;

(2) The applicant is a citizen of the United States or is a lawful permanent resident;

(3) (A) The applicant is accepted for admission as a full-time student or part-time student at:

(i) An approved institution of higher education in a program of study that leads to or is creditable toward:

(a) A baccalaureate degree;

(b) An associate degree; or

(c) A certificate from a qualified certificate program; or

(ii) An approved school of nursing in a program of study that leads to a nursing diploma under § 6-85-213.

(B) A full-time student shall enroll in at least twenty-seven (27) semester hours the first academic year and thirty (30) semester hours per academic year thereafter or the equivalent, as described in this subchapter, or the equivalent as defined by the Department of Higher Education.

(C) A part-time student shall complete at least six (6) semester hours but less than the minimum number of semester hours for a full-time student, as defined by the Department of Higher Education;

(4) The applicant has not met the maximum continuing education eligibility requirements under § 6-85-210;

(5) The applicant does not owe a refund on a federal or state student financial aid grant for higher education;

(6) The applicant is not in default on a state or federal student financial aid loan for higher education;

(7) The applicant has not borrowed, as determined by the approved institution of higher education to be attended, in excess of the annual loan limits under the Federal Family Educational Loan Program Systems, William D. Ford Federal Direct Loan Program, Income Contingent Loan Demonstration Program, Stafford Loan Program, Parent Loan for Undergraduate Students Program, or Supplemental Loan for Students Program in the same academic year for which the student has applied for assistance under this subchapter;

(8) The applicant is not incarcerated at the time of the application for or during the time the applicant receives a scholarship under this subchapter;

(9) The applicant has complied with United States Selective Service System requirements for registration;

(10) The applicant has completed and submitted to the United States Department of Education a Free Application for Federal Student Aid or a subsequent application required by the United States Department of Education for federal financial aid; and

(11) The applicant certifies that he or she is drug-free and pledges in writing on the application form to refrain from the use or abuse of illegal substances in order to become eligible and maintain eligibility for this program.

HISTORY: Acts 2009, No. 605, § 4; 2009, No. 606, § 4; 2009, No. 1405, § 4; 2010, No. 265, § 5; 2010, No. 294, § 5; 2011, No. 207, § 6; 2013, No. 1173, §§ 5, 6.

6-85-207. Additional eligibility requirements for traditional students.

In addition to the requirements of § 6-85-206, an applicant is eligible as a traditional student if the applicant:

(1) (A) Graduated from an Arkansas public high school and has:

(i) Successfully completed the Smart Core curriculum established by the Department of Education; and

(ii) Either:

(a) Achieved a high school grade point average of at least 2.5; or

(b) Had a minimum composite score of nineteen (19) on the ACT or the equivalent score on an ACT equivalent.

(B) Graduated from an Arkansas public high school before the 2013-2014 school year, but did not complete the Smart Core curriculum, he or she shall have achieved a high school grade point average of at least 2.5 and either:

(i) Have a minimum composite score of nineteen (19) on the ACT or the equivalent score on an ACT equivalent; or

(ii) Scored proficient or higher on all state-mandated end-of-course assessments, including without limitation end-of-course assessments on:

(a) Algebra I;

(b) Geometry; and

(c) Biology;

(2) Has a disability identified under the Individuals with Disabilities Education Act, 20 U.S.C. § 1400 et seq., as it existed on July 1, 2009, and graduated from an Arkansas public high school but did not complete the Smart Core curriculum because the applicant's individualized education program under § 6-41-217 did not require it, achieved a high school grade point average of at least 2.5, and either:

(A) Had a minimum composite score of nineteen (19) on the ACT or the equivalent score on an ACT equivalent; or

(B) Scored proficient or higher on all state-mandated end-of-course assessments, including without limitation end-of-course assessments on:

(i) Algebra I;

(ii) Geometry;

(iii) Biology; and

(iv) Beginning with the 2013-2014 school year, literacy; or

(3) Achieved a minimum composite score of nineteen (19) on the ACT or the equivalent score on an ACT equivalent and:

(A) Graduated from a private high school, an out-of-state high school, or a home school high school; or

(B) In the year in which the student would have been a junior or senior in high school, completed the requirements for high school graduation and obtained a Certificate of General Educational Development instead of receiving a diploma.

HISTORY: Acts 2009, No. 605, § 4; 2009, No. 606, § 4; 2009, No. 1405, §§ 5-8; 2010, No. 265, § 6; 2010, No. 294, § 6; 2011, No. 207, § 7; 2013, No. 1263, § 2.

6-85-208. Additional eligibility requirements for a nontraditional student.

An applicant is eligible as a nontraditional student if, in addition to the requirements of § 6-85-206, the applicant:

(1) Graduated from an Arkansas public high school and achieved a 2.5 high school grade point average but has not successfully completed at least twelve (12) semester hours of credit of courses under subdivision (2)(B) of this section; or

(2) Graduated from an Arkansas public high school, a private high school, an out-of-state high school, a home school high school, or obtained a Certificate of General Educational Development and either:

(A) Had a minimum composite score of nineteen (19) on the ACT or the equivalent score on an ACT equivalent; or

(B) (i) Has successfully completed at least twelve (12) semester hours of courses granting three (3) or more hours of credit per course at an institution of higher education and earned a postsecondary grade point average of at least 2.5.

(ii) A course granting less than three (3) hours of credit may be counted toward the twelve (12) semester hours under this subdivision (2)(B) if it is related to a credit course required for a degree.

HISTORY: Acts 2009, No. 605, § 4; 2009, No. 606, § 4; 2009, No. 1405, §§ 9, 10; 2010, No. 265, § 7; 2010, No. 294, § 7; 2011, No. 207, § 8.

6-85-209. Additional eligibility requirements for a current achiever student.

(a) In addition to the requirements of § 6-85-206, an applicant is eligible as a current achiever student if the applicant:

(1) Entered postsecondary education before the 2010-2011 academic year:

(A) As a full-time first-time freshman student; and

(B) Within twelve (12) months after graduating high school; and

(2) At the time of applying for the scholarship:

(A) (i) Has been continuously enrolled at an institution of higher education as a full-time student.

(ii) In calculating continuous enrollment under this section, the Department of Higher Education may include one (1) or more courses taken during the summer that meet the criteria for a course under subdivision (a)(2)(B)(ii) of this section;

(B) (i) Has successfully completed at least twelve (12) semester hours of courses granting three (3) or more hours of credit per course at an approved institution of higher education.

(ii) A course granting less than three (3) hours of credit may be counted toward the twelve (12) semester hours under this subdivision (2)(B) if it is related to a credit course required for a degree; and

(C) Has achieved a postsecondary grade point average of at least 2.5.

(b) The department may waive the requirements of subdivision (a)(1)(B) or (a)(2) for eligibility under this section if an applicant does not meet those eligibility requirements due to the applicant's full-time duty in the active uniformed service of the United States, including members of the National Guard and reserve components of the United States Armed Forces on active duty orders.

(c) This section also applies to an applicant who:

(1) Applied for a scholarship as a current achiever in the 2010-2011 academic year;

(2) Did not meet the eligibility requirements for a current achiever based on the continuous enrollment requirement of subdivision (a)(2) of this section as it existed on June 1, 2010; and

(3) Either:

(A) Received a scholarship under § 6-85-208 as a nontraditional student; or

(B) Did not receive a scholarship under this subchapter.

HISTORY: Acts 2009, No. 605, § 4; 2009, No. 606, § 4; 2010, No. 265, § 8; 2010, No. 294, § 8; 2011, No. 207, § 9.

6-85-210. Continuing eligibility.

(a) (1) A recipient who meets continuing eligibility criteria under this subchapter shall receive a scholarship for one (1) academic year renewable annually until the recipient first:

(A) Earns a baccalaureate degree;

(B) Has enrolled in eight (8) semesters at an institution of higher education as an undergraduate full-time student; or

(C) Has enrolled in sixteen (16) semesters at an institution of higher education as an undergraduate part-time student.

(2) A semester in which a student withdraws or fails to complete the number of credit hours for which the student first enrolled is counted toward the maximum number of semesters for which the student may receive a scholarship award under this subchapter.

(3) The maximums under this subsection apply to any degree program, regardless of whether or not the degree program requires additional semesters.

(b) To maintain eligibility for an Arkansas Academic Challenge Scholarship under this subchapter, a recipient shall meet the following requirements:

(1) A recipient shall continue to meet the eligibility requirements of this subchapter while a recipient of a scholarship under this subchapter;

(2) (A) (i) A recipient shall meet the satisfactory academic progress standards required to receive other financial aid at the approved institution of higher education where the recipient is enrolled, as determined by the Department of Higher Education in conjunction with the institution of higher education where the recipient is enrolled.

(ii) (a) A recipient who does not successfully complete any credit hours toward degree completion in a semester in which he or she received a scholarship under this subchapter immediately forfeits the remainder of the scholarship award for that academic year.

(b) The Department of Higher Education shall notify the recipient of the loss of eligibility under this subdivision (b)(2)(A)(ii).

(iii) By accepting scholarship funds under this subchapter, the receiving institution certifies that students will be enrolled in courses that will meet satisfactory academic progress standards leading toward a certificate, an associate degree, a nursing diploma, or a baccalaureate degree.

(B) The Department of Higher Education may approve a leave of absence for a reason that includes without limitation:

(i) A medical condition of the student or a member of the student's immediate family that, on the basis of a physician's good-faith judgment, necessitates the student or the student's immediate family member to be hospitalized or receive outpatient or home-based medical care or recuperation until released by the attending physician;

(ii) A personal or family emergency that requires the student to:

(a) Attend the funeral of an immediate family member; or

(b) Visit a relative of the student if the relative has a medical condition in which death is possible or imminent;

(iii) Military service under § 6-61-112;

(iv) (a) A commitment for twelve (12) to twenty-four (24) months of service in a national or international humanitarian project sponsored by a nonprofit corporation organized with a charitable or educational purpose.

(b) The student's commitment shall be expressed in a written agreement with the nonprofit organization including the terms of completion for the student's service on the related project.

(c) The department shall release a scholarship hold if the department determines that the student did not complete the commitment under the written agreement; or

(v) Any other reason approved by the Department of Higher Education;

(3) A recipient who enrolls in one (1) or more remedial courses shall complete all remedial courses required by the approved institution of higher education by the time the student completes the first thirty (30) semester hours attempted after receiving the scholarship;

(4) A recipient shall earn a postsecondary grade point average of 2.5 or higher at an approved institution of higher education;

(5) A recipient shall enroll in courses that lead toward a baccalaureate degree program after attempting the lesser of:

(A) Five (5) semesters; or

(B) The completion of an associate degree program; and

(6) A recipient shall meet any other continuing eligibility criteria established by the Department of Higher Education.

(c) (1) (A) If a recipient becomes ineligible for the scholarship because the recipient's postsecondary grade point average or number of successfully completed credit hours no longer meets the minimum requirement for the scholarship, the recipient may regain eligibility under this subsection one (1) time only in the academic year in which the student became ineligible.

(B) The Department of Higher Education shall by rule define "academic year".

(2) (A) A traditional student recipient who becomes ineligible for a scholarship may use this subsection to become eligible as a first-time nontraditional student applicant but may not use this subsection again to regain lost eligibility for the nontraditional student scholarship.

(B) A recipient who loses eligibility for the scholarship and does not regain eligibility under subdivision (c)(1) of this section is not eligible to apply for a scholarship under any eligibility provision of this subchapter.

(3) The recipient shall complete the requirements for regaining eligibility under this subsection:

(A) In the same academic year in which the student failed to maintain eligibility; and

(B) At the student's own expense.

(4) Except as provided under § 6-85-211(a)(3) and unless the requirements of this subsection are waived by the department under subsection (d) of this section, to regain eligibility for the scholarship:

(A) (i) As a traditional or nontraditional full-time student, the student shall:

(a) Successfully complete at least fifteen (15) semester hours of courses for credit for which the approved institution of higher education certifies that the courses meet the satisfactory academic progress standards of the institution; and

(b) Achieve a 2.5 grade point average for the semester hours completed under this subdivision (c)(4)(A).

(ii) A traditional student who does not regain eligibility under subdivision (c)(4)(A)(i) of this section is ineligible to reapply for a scholarship as a traditional student but may apply as a nontraditional student; and

(B) As a nontraditional part-time student, the student shall:

(i) Successfully complete at least six (6) semester hours of courses for credit for which the approved institution of higher education certifies that the courses meet the satisfactory academic progress standards of the institution; and

(ii) Achieve a 2.5 grade point average for the semester hours successfully completed under this subdivision (c)(4)(B).

(d) If a recipient is subject to losing a scholarship under subsection (c) of this section due to a catastrophic event experienced by the recipient or a family member of the recipient, the department may waive the requirements of this section and determine the appropriate requirements for the recipient to either retain or regain the scholarship.

HISTORY: Acts 2009, No. 605, § 4; 2009, No 606, § 4; 2009, No. 1405, §§ 11-14; 2010, No. 265, §§ 9, 10; 2010, No. 294, §§ 9, 10; 2011, No. 207, §§ 10, 11; 2013, No. 1106, § 1; 2013, No. 1173, §§ 7-9.

6-85-211. Literacy tutoring.

(a) As an additional component to the Arkansas Academic Challenge Scholarship Program:

(1) Each applicant for the scholarship shall agree that for each year the scholarship is awarded he or she may volunteer to serve as a literacy tutor for a minimum of twenty (20) clock hours each semester in a public school or a faith-based educational institution serving students in prekindergarten through grade six (preK-6);

(2) A recipient who agrees to volunteer as a literacy tutor:

(A) Shall complete the prerequisite training in literacy and college readiness skills provided under this section before he or she begins tutoring; and

(B) May receive college credit for the tutoring as determined by the institution of higher education where the recipient is enrolled; and

(3) An enrolled college student who participates in the tutorial program and fails to meet the academic eligibility requirement under this subchapter for the fall or spring semester shall be given the probationary opportunity during the subsequent spring or summer term to continue his or her education and improve academic performance before losing scholarship funding in the subsequent semester.

(b) A recipient who agrees to volunteer as a literacy tutor under this section shall receive the prerequisite training in literacy and college readiness from an approved institution of higher education based on training modules developed by the Department of Education.

HISTORY: Acts 2009, No. 605, § 4; 2009, No. 606, § 4.

6-85-212. Scholarship award amounts.

(a) The General Assembly may use net proceeds from the state lottery to fund the scholarships awarded under this subchapter and to supplement the state-supported student financial assistance that the General Assembly determines is necessary to meet the state's objective for broadening and increasing access of Arkansas citizens to higher education.

(b) Net proceeds from the state lottery used to fund scholarships under this subchapter shall:

(1) Be used exclusively for the purposes set out in Arkansas Constitution, Amendment 87, and this subchapter; and

(2) Supplement and shall not supplant nonlottery state educational resources.

(c) It is the General Assembly's intent that before increasing award amounts for scholarships under this subchapter, the number of scholarships awarded to nontraditional students under § 6-85-208 be increased.

(d) The scholarships established under this subchapter are subject to available funding and do not create for any student an entitlement to financial assistance to enable the student's attendance at an approved institution of higher education.

(e) (1) (A) Beginning with the 2013-2014 academic year, the scholarship award amount under this subchapter for an academic year for a full-time recipient enrolled in a four-year approved institution of higher education is:

(i) Two thousand dollars (\$ 2,000) for a recipient in his or her freshman year;

(ii) Three thousand dollars (\$ 3,000) for a recipient in his or her sophomore year;

(iii) Four thousand dollars (\$ 4,000) for a recipient in his or her junior year; and

(iv) Five thousand dollars (\$ 5,000) for a recipient in his or her senior year.

(B) The Department of Higher Education shall not accept new applications for scholarships for current achiever students under § 6-85-209 after June 1, 2012.

(2) (A) (i) The department shall award an aggregate amount of scholarship awards to nontraditional students beginning with the 2010-2011 academic year of twelve million dollars (\$ 12,000,000).

(ii) Beginning with the 2014-2015 academic year, the department shall award an aggregate amount of scholarship awards to nontraditional students of sixteen million dollars (\$ 16,000,000).

(B) (i) The department shall return to the Arkansas Lottery Commission the excess funding, if any, for scholarship awards the department received under § 23-115-801.

(ii) The commission shall deposit any funds received from the department under this subdivision (e)(2)(B) into a trust account established under § 23-115-801(b).

(C) Priority for scholarships awarded to nontraditional students and current achiever students is based on the applicant's level of progress toward completion of a certificate, an associate degree, nursing diploma, or a

baccalaureate degree, or on other criteria established by the department.

(3) The scholarship award for an academic year for a full-time student enrolled in one (1) of the following institutions of higher education is two thousand dollars (\$ 2,000):

- (A) A two-year approved institution of higher education;
- (B) A branch campus of a four-year approved institution of higher education; or
- (C) An approved nursing school.

(4) The scholarship award amount for a part-time student recipient shall be:

(A) One-half (1/2) of the award amount for a full-time student recipient, if the recipient is enrolled in at least six (6) semester hours but less than nine (9) semester hours; or

(B) Three-quarters (3/4) of the award amount for a full-time student recipient, if the recipient is enrolled in at least nine (9) semester hours but less than the number of hours required for a full-time student recipient.

(5) A current recipient who maintains eligibility for the scholarship under this subchapter shall continue to receive the scholarship award amount first awarded to the recipient.

(6) The department shall give priority for a scholarship award to a full-time or part-time student:

- (A) Who meets the eligibility requirements under this subchapter; and
- (B) Whose parent, by birth or legal adoption:

(i) Was a resident of the State of Arkansas at the time that person entered the service of the United States Armed Forces or whose official residence is in Arkansas; and

(ii) Was a member of the United States Armed Forces who was killed while performing military duty:

(a) In a status identified under 32 U.S.C. § 101 et seq. or 10 U.S.C. § 101 et seq. as they existed on January 1, 2011; or

(b) In state active duty status.

(f) Annually by December 15, the Arkansas Lottery Commission Legislative Oversight Committee shall provide to the General Assembly its recommendations for any changes to the:

- (1) Award amounts;
- (2) Number or type of scholarships; and
- (3) Eligibility requirements.

(g) It is the intent of the General Assembly that in determining award amounts under this subchapter the General Assembly will consider whether sufficient funds will be available to pay for scholarship awards through the anticipated completion of the degree or certificate a recipient is seeking.

(h) All awards under this subchapter are subject to the prohibition under § 6-80-105 against using public funds in a student financial package in excess of the recognized cost of attendance at the institution where the student is enrolled.

(i) (1) If the department has less than a sufficient amount from net proceeds from the state lottery to provide for the

scholarship commitments under this subchapter, the department shall give priority for continued financial support under this subchapter to a recipient who has continuing eligibility superior to first-time applicants.

(2) If the funding is still insufficient to fully fund the scholarships created under this subchapter, the department shall award scholarships after considering applicants:

(A) With the highest level of progress toward completion of a certificate, an associate degree, or a baccalaureate degree;

(B) With the highest high school or postsecondary grade point average, as applicable to the applicant; and

(C) Who are enrolled in or intend to enroll in a program of study that is:

(i) In an area of critical workforce need as determined by the department; or

(ii) In a science, technology, engineering, or mathematics field.

(j) When the General Assembly determines that there exist sufficient net lottery proceeds to fund students enrolling in certificate, associate degree, and baccalaureate degree programs, the department shall submit recommendations to the Arkansas Lottery Commission Legislative Oversight Committee for the award of scholarships and grants to certain graduate and professional programs at approved institutions of higher education.

HISTORY: Acts 2009, No. 605, § 4; 2009, No. 606, § 4; 2009, No. 1405, §§ 15-22; 2010, No. 265, §§ 11-13; 2010, No. 294, §§ 11-13; 2011, No. 207, §§ 12-14; 2011, No. 825, § 1; 2011, No. 1180, § 1; 2013, No. 234, §§ 1-3.

6-85-213. Nursing school eligibility.

(a) (1) The General Assembly recognizes that the State of Arkansas is experiencing a critical shortage of nurses.

(2) It is the intent of this section to allow the Department of Higher Education the opportunity, under specific circumstances, to include an approved school of nursing that would not otherwise be an approved institution of higher education in the Arkansas Academic Challenge Scholarship Program.

(b) The department shall make awards to applicants attending an approved school of nursing under this section if the recipient meets continuing eligibility requirements in § 6-85-210.

(c) The department shall pay scholarship awards under this section only from nonlottery state educational resources.

HISTORY: Acts 2009, No. 605, § 4; 2009, No. 606, § 4; 2009, No. 1405, § 23.

6-85-214. Accountability -- Transparency -- Legislative oversight.

(a) The General Assembly finds that:

(1) The continual evaluation of the Arkansas Academic Challenge Scholarship Program and of all state-supported scholarship and grant programs by the General Assembly is critical for maximizing the benefits to the state and its citizens of state financial aid for higher education and meeting state objectives for higher education; and

(2) Accountability and transparency in the implementation of state-supported scholarship programs are fundamental to a proper evaluation of the programs.

(b) The General Assembly finds that the collection of data and the reports required under §§ 6-85-216 -- 6-85-220 and § 6-60-901 et seq. are necessary to ensure accountability and transparency.

HISTORY: Acts 2009, No. 605, § 4; 2009, No. 606, § 4; 2013, No. 1173, § 10.

6-85-215. [Repealed.]

6-85-216. Institution report to the department.

(a) (1) An approved institution of higher education that enrolls students receiving scholarships under this subchapter annually shall provide information and semiannually provide updated information to the Department of Higher Education regarding all state-supported student financial assistance whether or not the state-supported student financial assistance is awarded under this subchapter.

(2) The information shall be provided in the form of individual student records and shall include without limitation information regarding:

(A) State-supported student financial assistance;

(B) Demographic student data; and

(C) Disaggregated data on remedial courses.

(3) (A) An approved institution of higher education shall undertake the procedures necessary to ensure the collection and reporting of student information under this section.

(B) An approved institution of higher education may lose its approved status for receiving scholarship funds on behalf of a recipient under this subchapter if it fails to make a good-faith effort to comply with this section.

(C) In addition to the provisions of subdivision (a)(3)(B) of this section, an institution of higher education that does not comply with this section shall not be eligible to accept state aid from the Higher Education Grants Fund Account on behalf of a student.

(b) The department shall establish by rule the:

(1) Specific data required;

(2) Manner of reporting the information required; and

(3) Technology or software required for reporting.

(c) The department shall use the information provided under this section to conduct the research and analysis needed to support the annual report of the Director of the Department of Higher Education to the Arkansas Lottery Commission Legislative Oversight Committee under § 6-85-205.

HISTORY: Acts 2009, No. 605, § 4; 2009, No. 606, § 4; 2013, No. 1173, § 12.

6-85-217. Information provided to the Bureau of Legislative Research by the Department of Higher Education.

The Department of Higher Education shall provide the following data to the Bureau of Legislative Research through the Arkansas Higher Education Information System under § 6-60-901 et seq., for the purpose of assisting the General Assembly with evaluation and analysis under this subchapter:

(1) Existing individual student data;

(2) Institutional data;

(3) Financial data;

(4) Aggregate student scholarship and grant application and award data;

(5) Remedial course data; and

(6) Other data needed to track scholarship and grant students receiving state-supported student financial assistance from year to year.

HISTORY: Acts 2009, No. 605, § 4; 2009, No. 606, § 4; 2010, No. 265, §§ 15, 16; 2010, No. 294, §§ 15, 16; 2011, No. 207, § 17; 2013, No. 1173, § 13.

6-85-218. [Repealed.]

6-85-219. Reports to legislative committees.

(a) (1) Annually by August 1, the Department of Higher Education shall report to the Arkansas Lottery Commission Legislative Oversight Committee in the manner and format that the committee requires on all state-supported student financial assistance awarded by the department and awarded by approved institutions of higher education.

(2) The information provided shall include without limitation:

(A) Current year expenditures for scholarships and grants under the program;

(B) Projected obligations for succeeding years from each scholarship or grant funding source;

(C) Fund balances for the:

(i) Higher Education Grants Fund Account; and

(ii) Trust accounts maintained by the Director of the Department of Higher Education to hold the net proceeds from the state lottery;

(D) An evaluation of whether the net proceeds from the state lottery available for the program supplement and do not supplant nonlottery state educational resources; and

(E) Other information that the Arkansas Lottery Commission Legislative Oversight Committee or the General Assembly requests.

(b) Annually by December 1, the department shall report to the Arkansas Lottery Commission Legislative Oversight Committee its recommendations for changes to the program, including without limitation:

(1) Adjustments to the eligibility requirements of the program; and

(2) Increases or decreases in the amounts awarded for an Arkansas Academic Challenge Scholarship based on the amount of net proceeds from the state lottery available.

(c) Annually by December 31, the Department of Higher Education shall report to the Arkansas Lottery Commission Legislative Oversight Committee the following information on recipients of the Arkansas Academic Challenge Scholarship Program -- Part 2 who applied as of June 1:

(1) Race;

(2) Grade point average;

(3) Composite score on the ACT or the equivalent score on an ACT equivalent; and

(4) Family or individual income as reported on the student's Free Application for Federal Student Aid.

HISTORY: Acts 2009, No. 605, § 4; 2009, No. 606, § 4; 2013, No. 1173, § 14; 2013, No. 1269, § 1.

6-85-220. Arkansas Lottery Commission Legislative Oversight Committee -- Annual report.

(a) The Arkansas Lottery Commission Legislative Oversight Committee shall:

(1) Oversee the development and implementation of Arkansas Code requirements with regard to the Arkansas Academic Challenge Scholarship Program;

(2) Review whether and how the use of net state lottery proceeds helps to accomplish state objectives for higher education;

(3) Review the ongoing data collection, research, and evaluation of the program;

(4) Review the annual report of the Director of the Department of Higher Education under § 6-85-219;

(5) Review and recommend changes to the:

(A) Number of awards for each scholarship and grant;

(B) Award levels;

(C) Eligibility requirements; and

(D) Overall administration of the program; and

(6) Review and recommend policies for scholarships and grants funded with nonlottery state educational resources, including without limitation ways to ensure that net proceeds from the state lottery are used to supplement and not supplant nonlottery state educational resources.

(b) Annually by December 15, the Arkansas Lottery Commission Legislative Oversight Committee shall report its findings and recommendations to the Arkansas Lottery Commission, the President Pro Tempore of the Senate, the Speaker of the House of Representatives, the Governor, the House Committee on Education, and the Senate Committee on Education.

HISTORY: Acts 2009, No. 605, § 4; 2009, No. 606, § 4; 2011, No. 207, § 18.

6-85-221. Scholarship hold.

(a) (1) The Department of Higher Education may approve a scholarship hold for a traditional student for a period of twenty-four (24) months or less.

(2) The reasons for a scholarship hold may include without limitation:

(A) A medical condition of the student or a member of the student's immediate family that, on the basis of a physician's good-faith judgment, necessitates the student or the student's immediate family member to be hospitalized or receive outpatient or home-based medical care or to recuperate until released by the attending physician;

(B) A personal or family emergency that requires the student to:

(i) Attend the funeral of an immediate family member; or

(ii) Visit a relative of the student if the relative has a medical condition in which death is possible or imminent;

(C) Military service under § 6-61-112; or

(D) (i) A commitment of twelve (12) to twenty-four (24) months for service in a national or international humanitarian project sponsored by a nonprofit corporation organized with a charitable or educational purpose.

(ii) The student's commitment shall be expressed in a written agreement with the nonprofit organization including the terms of completion for the student's service on the related project.

(iii) The department shall release a scholarship hold if the department determines that the student did not complete the commitment under the written agreement.

HISTORY: Acts 2011, No. 207, § 19.

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.

HISTORY: Acts 1983 (1st Ex. Sess.), No. 59, § 1; A.S.A. 1947, § 80-5901; Acts 2001, No. 1761, § 1.

6-82-302. Definitions.

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

(1) "Academic ability" means the intellectual standing of a student. In determining superior academic ability, the Department of Higher Education shall examine the student's high school records, competitive examination scores, and demonstrated leadership capabilities;

(2) "Approved institution" means a public or private college or university:

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

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

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

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

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

(5) "Eligible student" means a resident of the State of Arkansas as defined by the Department of Higher Education who:

(A) Is eligible for admission as a full-time student;

(B) Declares an intent to matriculate in an approved institution in Arkansas; and

(C) Graduates from:

(i) A high school in this state, for Arkansas Governor's Scholars; or

(ii) A high school, for Arkansas Governor's Distinguished Scholars;

(6) (A) "Extraordinary academic ability" means:

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

(ii) (a) For students graduating from high school after December 31, 2001, achievement of a high school grade point average of 3.5 or above on a 4.0 scale; or

(b) Selection as a finalist in either the National Merit Scholarship competition, the National Hispanic Recognition Program, or the National Achievement Scholarship competition conducted by the National Merit Scholarship Corporation.

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

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

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

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

HISTORY: Acts 1983 (1st Ex. Sess.), No. 59, § 3; 1985, No. 176, § 1; A.S.A. 1947, § 80-5903; Acts 1997, No. 489, § 1; 1997, No. 1269, § 2; 2001, No. 1761, § 2; 2009, No. 1218, § 1; 2013, No. 416, § 1.

6-82-303. Establishment.

A scholarship program to promote academic excellence and to encourage the state's most talented graduates to enroll in Arkansas postsecondary educational institutions is created and established which shall be cited as the Arkansas Governor's Scholars Program.

HISTORY: Acts 1983 (1st Ex. Sess.), No. 59, §§ 1, 2; A.S.A. 1947, §§ 80-5901, 80-5902.

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

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

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

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

(3) Select recipients of scholarships awarded pursuant to the provisions of this subchapter;

- (4) Establish the procedures for payment of scholarships to recipients;
- (5) Set a termination date for the acceptance of applications;
- (6) Review and evaluate the operation of the program with regard to eligibility criteria and size of the scholarship award to ensure that the program's operation meets the intent of this legislation; and
- (7) Determine the necessary procedures for the awarding of scholarships if the number of eligible applicants exceeds the available funds or available awards.

HISTORY: Acts 1983 (1st Ex. Sess.), No. 59, § 6; A.S.A. 1947, § 80-5906; Acts 2001, No. 1761, § 3; 2009, No. 1218, § 2.

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

- (a) Students receiving scholarships shall be known as Arkansas Governor's Scholars.
- (b) Arkansas Governor's Scholarship recipients who exhibit extraordinary academic ability shall be known as Arkansas Governor's Distinguished Scholars.

HISTORY: Acts 1983 (1st Ex. Sess.), No. 59, § 4; A.S.A. 1947, § 80-5904; Acts 1997, No. 489, § 2; 1999, No. 1562, § 1; 2001, No. 1761, § 4.

6-82-306. Eligibility.

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

(b) A student is eligible for this scholarship if he or she:

(1) Meets the admission requirements and is accepted for enrollment as a full-time undergraduate student in an eligible public or private college or university in Arkansas;

(2) (A) Is a bona fide resident of the state, as defined by the Department of Higher Education.

(B) Preference will be given to students who plan to enter college at the beginning of the academic year directly following their last year of high school attendance;

(3) Is a citizen of the United States or a permanent resident alien;

(4) Graduates from:

(A) A high school in this state, for Arkansas Governor's Scholars; or

(B) A high school, for Arkansas Governor's Distinguished Scholars;

(5) (A) Demonstrates proficiency in the application of knowledge and skills in reading and writing literacy and mathematics by passing the end-of-course examination as may be developed by the Department of Education and as may be designated by the Department of Higher Education for this purpose.

(B) "End-of-course" assessment means those assessments defined in § 6-15-419; and

(6) (A) Satisfies the qualifications of superior academic ability as established by the Department of Higher Education with criteria consisting of value points for academic achievement and leadership, including without

limitation:

(i) American College Test (ACT) or Scholastic Aptitude Test (SAT) score, 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) (i) The Department of Higher Education may 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.

(ii) The Department of Higher Education shall ensure that the weight assigned to each individual criterion under this subdivision (b)(6)(B) does not place a home-schooled, public school, or private school student at a disadvantage.

(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.

HISTORY: Acts 1983 (1st Ex. Sess.), No. 59, § 5; 1985, No. 176, § 2; A.S.A. 1947, § 80-5905; Acts 1997, No. 489, § 3; 1999, No. 1562, § 2; 2001, No. 1761, § 5; 2009, No. 1218, § 3; 2013, No. 512, § 1.

6-82-307. Applicant's responsibilities.

Each applicant shall, in accordance with the provisions of this subchapter and the rules and regulations of the Department of Higher Education:

(1) Complete and file with the department the appropriate application for the Arkansas Governor's Scholars Program and such other information and data as may be requested by the department in determining the eligibility of the student;

(2) Furnish to the department information regarding any change in status of the student or any other information that might have a direct bearing on the eligibility of the applicant; and

(3) Provide the department with verification that the scholarship was used in accordance with the purposes of this subchapter.

HISTORY: Acts 1983 (1st Ex. Sess.), No. 59, § 7; A.S.A. 1947, § 80-5907.

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

(a) If sufficient funds are available, effective for students receiving their initial awards beginning in fall 2007, the number of initial scholarship awards to eligible high achievers shall not exceed three hundred seventy-five (375) each year, to be distributed as follows:

(1) Up to three hundred (300) Arkansas Governor's Distinguished Scholarships; and

(2) (A) Seventy-five (75) Arkansas Governor's Scholarships at four thousand dollars (\$ 4,000) per year.

(B) The seventy-five (75) Arkansas Governor's Scholarships shall be awarded to one (1) student in each of the seventy-five (75) counties in Arkansas.

(b) (1) A report that demonstrates, based on economic projections and revenue forecasts, that sufficient funds are available to award scholarships to high achievers relative to the number of Arkansas Academic Challenge Scholarship recipients shall be submitted to the House Committee on Education, the Senate Committee on Education, and the Legislative Council for review prior to obligating the funds.

(2) Should a shortfall of funds be projected, the Department of Higher Education shall promulgate rules for the priority funding of these scholarships and submit these proposed rules to the Arkansas Higher Education Coordinating Board for a public hearing and to the Subcommittee on Administrative Rules and Regulations of the Legislative Council for review before implementing the rules.

(3) If there are more eligible applicants than available scholarships, the department may determine a procedure for awarding additional scholarships while not exceeding available funds.

HISTORY: Acts 1983 (1st Ex. Sess.), No. 59, § 4; A.S.A. 1947, § 80-5904; Acts 1989, No. 951, § 1; 1997, No. 489, § 4; 2001, No. 1761, § 6; 2005, No. 1241, § 1; 2007, No. 1046, § 1; 2009, No. 1218, § 4.

6-82-309. Award of scholarship.

An Arkansas Governor's Scholarship or Arkansas Governor's Distinguished Scholarship will be awarded to a student in a manner to be determined by the Department of Higher Education.

HISTORY: Acts 1983 (1st Ex. Sess.), No. 59, § 4; A.S.A. 1947, § 80-5904.

6-82-310. Use of scholarship.

(a) No student may utilize scholarship funds for educational purposes beyond the baccalaureate degree.

(b) There shall be an exception to the requirement of subsection (a) of this section for any student who receives a baccalaureate degree in three (3) years or less. The student may receive an award of the scholarship for a fourth academic year to be used as a full-time student enrolled in a postgraduate program at an approved institution.

HISTORY: Acts 1983 (1st Ex. Sess.), No. 59, § 4; A.S.A. 1947, § 80-5904; Acts 1997, No. 1269, § 1.

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

(a) An Arkansas Governor's Scholarship or Arkansas Governor's Distinguished Scholarship may be awarded annually for a period not to exceed an academic year.

(b) (1) A scholarship 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) Provided sufficient funds are available, a 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;

(2) A student receiving the additional scholarship under § 6-82-312(b) maintains not less than a 3.25 grade point average on a 4.0 scholastic grading scale;

(3) The recipient has successfully 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; and

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

HISTORY: Acts 1983 (1st Ex. Sess.), No. 59, §§ 4, 6; A.S.A. 1947, §§ 80-5904, 80-5906; Acts 1997, No. 489, § 5; 1999, No. 1562, § 3; 2001, No. 1761, § 7; 2007, No. 274, § 2; 2009, No. 1218, § 5.

6-82-312. Scholarship amounts.

(a) An Arkansas Governor's Scholarship or Arkansas Governor's Distinguished Scholarship awarded to a new recipient who enrolls in college as a first-time entering freshmen after July 1, 1995, shall be in the amount of four thousand dollars (\$ 4,000) per year, provided funds are available.

(b) Provided sufficient funds are available, a student who was a first-time entering freshman after July 1, 1997, but before July 1, 2002, and who exhibited extraordinary academic achievement shall be awarded, in addition to the award in subsection (a) of this section, an amount per year which when combined with the award in subsection (a) of this section equals tuition, room and board, and mandatory fees charged in academic year 2000-2001 for a regular full-time course load by the approved institution in which the recipient is enrolled.

(c) Provided sufficient funds are available, a student who is a first-time entering freshman after July 1, 2002, and who exhibits extraordinary academic achievement shall be awarded, in addition to the award in subsection (a) of this section, an amount per year which when combined with the award in subsection (a) of this section equals the lesser of:

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

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

HISTORY: Acts 1983 (1st Ex. Sess.), No. 59, § 4; A.S.A. 1947, § 80-5904; Acts 1989, No. 951, § 2; 1995, No. 189, § 1; 1995, No. 230, § 1; 1997, No. 489, § 6; 1999, No. 1562, § 4; 2001, No. 1761, § 8.

6-82-313. Termination of scholarship.

The scholarship will be terminated if a student does not complete a baccalaureate degree program within five (5) years from initial college entrance.

HISTORY: Acts 1983 (1st Ex. Sess.), No. 59, § 4; A.S.A. 1947, § 80-5904.

6-82-314. Withdrawal from school -- Refund.

If a recipient of an Arkansas Governor's Scholarship or Arkansas Governor's Distinguished Scholarship withdraws from an approved private or public institution and under the policy of that institution the student is entitled to a refund of any tuition, fees, or other charges, the institution shall pay the refund to which the student may be entitled to the Department of Higher Education to the extent of any amount the department has paid to the student for that academic year.

HISTORY: Acts 1983 (1st Ex. Sess.), No. 59, § 6; A.S.A. 1947, § 80-5906.

6-82-315, 6-82-316. [Repealed.]

6-82-501. Definitions.

As used in this subchapter:

(1) "Child" or "children" means any natural child, adopted child, or stepchild who is eligible under § 6-82-504;

(2) "Department of Community Correction employee" means any employee of the Department of Community Correction who suffers fatal injuries or wounds or becomes permanently and totally disabled as a result of injuries or wounds that occurred through contact with parolees, probationers, or center residents;

(3) "Emergency medical services personnel" means emergency medical technician as defined in § 20-13-202;

(4) "Fire fighter" means any fire fighter employed on a full-time or volunteer duty status while actually engaged in the performance of his or her duties;

(5) "Law enforcement officer" means a:

(A) Constable, which includes all duly elected constables of any beat of any county within the state while actually engaged in the performance of their duties concerning the criminal laws of the county and state;

(B) Game warden, which includes all appointed game wardens employed by the State of Arkansas on a full-time duty status while actually engaged in their duties concerning the game laws of this state;

(C) Municipal and college or university police officer, which includes all law enforcement officers of any municipality, college, or university who are regular duty personnel on full-time status and does not include auxiliary officers or those serving on a temporary or part-time status;

(D) Sheriff or deputy sheriff, which includes all law enforcement officers of full-time status on a regular basis serving the sheriff's department of any county but does not include deputy sheriffs who are engaged in administrative or civil duty or deputy sheriffs serving in a temporary capacity or part-time basis; and

(E) State highway patrolman, which includes any law enforcement officer, regardless of department or bureau, of the Department of Arkansas State Police;

(6) "State correction employee" means any employee of the Department of Correction or the Corrections School System who becomes subject to injury through contact with inmates or parolees of the Department of Correction;

(7) "State forestry employee" means an employee of the Arkansas Forestry Commission who is actively engaged in his or her duties of fighting forest fires;

(8) "State highway employee" means any employee of the Arkansas State Highway and Transportation Department who actively engages in highway maintenance, construction, or traffic operations on the roadways and bridges of the state highway system while the roadways and bridges are open for use by the traveling public;

(9) "State parks employee" means any employee of the State Parks Division of the Department of Parks and Tourism who is a commissioned law enforcement officer or emergency response employee while actively engaged in the performance of his or her duties; and

(10) "Teacher" means any person employed by a public school for the purpose of giving instruction and whose employment requires state certification.

HISTORY: Acts 1973, No. 521, § 2; 1985, No. 420, § 1; A.S.A. 1947, § 80-3360; Acts 1993, No. 153, § 1; 1997, No. 547, § 8; 1999, No. 56, § 1; 1999, No. 1034, § 1; 2001, No. 113, § 1; 2007, No. 806, § 2.

6-82-502. Rules and regulations.

The Arkansas Higher Education Coordinating Board is directed and empowered to promulgate rules and regulations as necessary to administer benefits awarded under this subchapter by the Arkansas State Claims Commission.

HISTORY: Acts 1973, No. 521, § 4; 1983 (1st Ex. Sess.), No. 47, § 1; A.S.A. 1947, § 80-3362; Acts 1997, No. 547, § 9.

6-82-503. Entitlement.

(a) If any Arkansas law enforcement officer, full-time or volunteer fire fighter, emergency medical technician, state highway employee, state correction employee, Department of Community Correction employee, state parks employee, teacher, or state forestry employee suffers fatal injuries or wounds or becomes permanently and totally disabled as a result of injuries or wounds that occurred in the performance of a hazardous duty within the scope of his or her employment or that occurred en route to or returning from a location where a hazardous situation existed, his or her children and spouse shall be entitled to a total of eight (8) semesters, or the equivalent thereof, of scholarship awards without cost, exclusive of books, food, school supplies, materials, and dues or fees for extracurricular activities, at any state-supported college, university, or technical institute of his or her choice within this state. Up to four (4) semesters, or the equivalent thereof, may be taken at a technical institute.

(b) Scholarship benefits shall not accrue under this subchapter to any person if the wounds or injuries suffered by any law enforcement officer, fire fighter, emergency medical technician, state highway employee, state correction employee, Department of Community Correction employee, state parks employee, teacher, or state forestry employee are self-inflicted or if the death is self-induced.

(c) Unless § 6-82-504(e) is applicable, the Arkansas State Claims Commission shall award any scholarship benefit provided by this subchapter at the same time that any death benefit or total and permanent disability benefit is awarded by the commission under the provisions of § 21-5-701 et seq.

HISTORY: Acts 1973, No. 521, §§ 1, 2; A.S.A. 1947, §§ 80-3359, 80-3360; Acts 1989, No. 190, § 1; 1993, No. 153, § 2; 1997, No. 547, § 10; 1999, No. 56, § 2; 1999, No. 1034, § 2; 2001, No. 113, § 2; 2001, No. 158, § 1; 2007, No. 172, § 1; 2007, No. 806, § 3.

6-82-504. Awards to children.

(a) In order for a natural child to be eligible to receive a scholarship benefit:

(1) The child must have been born prior to the date of the death or total and permanent disability of the law enforcement officer, fire fighter, emergency medical technician, state highway employee, state correction employee, Department of Community Correction employee, state parks employee, teacher, or state forestry employee; or

(2) The law enforcement officer, fire fighter, emergency medical technician, state highway employee, state correction employee, Department of Community Correction employee, state parks employee, teacher, or state forestry employee or the spouse of the law enforcement officer, fire fighter, emergency medical technician, state highway employee, state correction employee, Department of Community Correction employee, state parks employee, teacher, or state forestry employee must have been pregnant with the child at the time of the death or total and permanent disability of the law enforcement officer, fire fighter, emergency medical technician, state highway employee, state correction employee, Department of Community Correction employee, state parks employee, teacher, or state forestry employee.

(b) In order for an adopted child to be eligible to receive a scholarship benefit:

(1) The child must have been adopted prior to the date of the death or total and permanent disability of the law enforcement officer, fire fighter, emergency medical technician, state highway employee, state correction employee, Department of Community Correction employee, state parks employee, teacher, or state forestry employee; or

(2) The child's adoption process must have begun prior to the date of the death or total and permanent disability of the law enforcement officer, fire fighter, emergency medical technician, state highway employee, state correction employee, Department of Community Correction employee, state parks employee, teacher, or state forestry employee.

(c) In order for a stepchild under the age of nineteen (19) to be eligible to receive a scholarship benefit:

(1) The stepchild must have been listed as a dependent on the federal and state income tax returns of the law

enforcement officer, fire fighter, emergency medical technician, state highway employee, state correction employee, Department of Community Correction employee, state parks employee, teacher, or state forestry employee in each of the five (5) income years immediately prior to the date of the death or total and permanent disability of the law enforcement officer, fire fighter, emergency medical technician, state highway employee, state correction employee, Department of Community Correction employee, state parks employee, teacher, or state forestry employee; and

(2) The stepchild must have received more than one-half (1/2) of his or her financial support from the law enforcement officer, fire fighter, emergency medical technician, state highway employee, state correction employee, Department of Community Correction employee, state parks employee, teacher, or state forestry employee in each of the five (5) income years immediately prior to the date of the death or total and permanent disability of the law enforcement officer, fire fighter, emergency medical technician, state highway employee, state correction employee, Department of Community Correction employee, state parks employee, teacher, or state forestry employee.

(d) In order for a stepchild nineteen (19) years of age or older to be eligible to receive a scholarship benefit:

(1) The stepchild must have been listed as a dependent on the federal and state income tax returns of the law enforcement officer, fire fighter, emergency medical technician, state highway employee, state correction employee, Department of Community Correction employee, state parks employee, teacher, or state forestry employee in each of five (5) income years during the eight (8) years immediately prior to the date of the death or total and permanent disability of the law enforcement officer, fire fighter, emergency medical technician, state highway employee, state correction employee, Department of Community Correction employee, teacher, state parks employee, or state forestry employee; and

(2) The stepchild must have received more than one-half (1/2) of his or her financial support from the law enforcement officer, fire fighter, emergency medical technician, state highway employee, state correction employee, Department of Community Correction employee, state parks employee, teacher, or state forestry employee in each of five (5) income years during the eight (8) years immediately prior to the date of the death or total and permanent disability of the law enforcement officer, fire fighter, emergency medical technician, state highway employee, state correction employee, Department of Community Correction employee, state parks employee, teacher, or state forestry employee.

(e) If the covered public employee or his or her heirs did not file for the available death or disability benefit, but were otherwise eligible to receive, within the time frame provided in § 21-5-703, then the covered public employee's child or children who would have otherwise been eligible to receive the provided educational scholarship benefit under this section may individually file prior to their twenty-first birthdays a claim to receive the provided educational scholarship benefit.

HISTORY: Acts 1973, No. 521, § 3; A.S.A. 1947, § 80-3361; Acts 1993, No. 153, § 3; 1997, No. 547, § 11; 1999, No. 56, § 3; 1999, No. 1034, § 3; 2001, No. 113, § 3; 2003, No. 1473, § 14; 2007, No. 806, § 4.

6-82-505. Limits for scholarship.

(a) No child will be entitled to receive benefits under this subchapter during any semester or quarter when the child has reached the age of twenty-three (23) years on or before the first day of the semester or quarter.

(b) No spouse will be eligible for the education benefit if he or she remarries. The benefit will cease at the end of the semester at which the spouse is currently enrolled at the time of the marriage.

HISTORY: Acts 1973, No. 521, § 2; A.S.A. 1947, § 80-3360; Acts 1989, No. 190, § 2.

6-82-506. Written application for benefits.

Any person claiming benefits awarded by the Arkansas State Claims Commission under the provisions of this subchapter shall make written application with the Department of Higher Education on forms provided by the department.

HISTORY: Acts 1973, No. 521, § 4; 1983 (1st Ex. Sess.), No. 47, § 1; A.S.A. 1947, § 80-3362; Acts 1997, No. 547, § 12.

6-82-507. Renewal of scholarship.

To retain eligibility for a scholarship benefit under this subchapter, a recipient shall:

- (1) Maintain a minimum of a 2.0 grade point average on a 4.0 scholastic grading scale; and
- (2) Meet any other continuing eligibility criteria established by the Department of Higher Education.

HISTORY: Acts 2009, No. 1217, § 1.

6-82-601. Tuition waiver for dependents of certain veterans.

(a) As used in this section:

(1) "Dependent" means a spouse or any child born or conceived by, legally adopted by, or under the legal guardianship of a prisoner of war or person declared to be missing in action or killed in action or killed on ordnance delivery, or disabled veteran. The dependent child or spouse of a prisoner of war, veteran missing in action, or killed in action or killed on ordnance delivery, or disabled veteran must be a current resident of Arkansas. Stepchildren of the veteran are not eligible unless they have been legally adopted by the veteran or the veteran has been appointed as the legal guardian of the stepchild. A dependent child must meet the definition of dependent child as established by the United States Department of Education;

(2) "Disabled veteran" means a person who has been awarded special monthly compensation by the United States Department of Veterans Affairs for service-connected, one hundred percent (100%) total and permanent disability;

(3) "Ordnance delivery" means the piloting of or flying in an experimental or test aircraft while determining its fitness or ability to perform its military function or mission; and

(4) "Prisoner of war", "person missing in action", "person killed in action", "person killed on ordnance delivery", and "disabled veteran" means any person who was a resident of the State of Arkansas at the time that person entered the service of the United States Armed Forces or whose official residence is within the State of Arkansas and who, while serving in the armed forces, has been declared to be a prisoner of war, a person missing in action, or a person killed in action as established by the Secretary of Defense of the United States after January 1, 1960, or a person killed on ordnance delivery, or has been declared by the United States Department of Veterans Affairs to be totally and permanently disabled one hundred percent (100%) as a result of service-connected injuries or service-connected medical conditions. It is not necessary for the purposes of these definitions that capture or death occur during a declared war or as a result of hostile actions. A death as result of injuries received while serving in the United States Armed Forces is only covered by this statute if the death occurred while on active duty.

(b) Each applicant must apply for the Survivors' and Dependents' Educational Assistance program (DEA) Chapter 35 of Title 38 of the United States Code with the United States Department of Veterans Affairs. The applicant must provide the Arkansas Department of Higher Education with proof of acceptance of DEA or non-eligibility into DEA upon application to this program.

(c) The Arkansas Higher Education Coordinating Board and the State Board of Education are directed, authorized, and empowered to promulgate and adopt such rules and regulations as are necessary to implement the provisions of this section.

(d) (1) Except as provided under subdivision (d)(2) of this section, a dependent of a disabled veteran, a prisoner of war, or a person declared to be missing in action or killed in action, or a person killed on ordnance delivery as defined by the provisions of this section, upon his or her being accepted for enrollment into any state-supported institution of higher education in the State of Arkansas, shall be allowed to obtain a bachelor's degree for so long as he or she is eligible with state assistance for tuition, fees, or other charges as provided under this subsection (d).

(2) (A) The state assistance under this section is limited to the tuition, fees, or other charges that exceed the amount of monetary benefits that the dependent is eligible to receive from the Survivors' and Dependents' Educational Assistance program during the months included in each semester in which the dependent is enrolled.

(B) If the dependent is not eligible for monetary benefits from the Survivors' and Dependents' Educational Assistance program but is eligible for the benefits under this section, the dependent shall be allowed to obtain a bachelor's degree free of tuition, fees, or other charges from the state-supported institution of higher education.

(e) Once a person qualifies as a dependent under the terms and provisions of this section, there shall be no situation such as the return of the parent or the reported death of the parent that will remove the dependent from the provisions or benefits of this section.

(f) An eligible recipient shall receive a scholarship for one (1) academic year, renewable for up to three (3) additional academic years if the recipient meets continuing eligibility criteria established by the Department of Higher Education.

(g) Any person receiving this scholarship as of June 30, 2007, will be grandfathered into the program under the law as stated prior to July 1, 2007.

(h) In compliance with the Department of Higher Education's scholarship stacking policy, no student's total financial aid package, which can include multiple scholarships, can exceed the recognized cost of attendance at a higher education institution.

HISTORY: Acts 1973, No. 188, §§ 1-3; A.S.A. 1947, §§ 80-3363 -- 80-3365; Acts 1987, No. 72, §§ 1, 2; 1989, No. 759, § 1; 2005, No. 2127, § 1; 2007, No. 717, § 1; 2009, No. 1216, § 1.

6-82-602. [Repealed.]

6-82-201 -- 6-82-213. [Repealed.]

6-82-1101. Creation -- Purpose.

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

HISTORY: Acts 1991, No. 705, § 1; 1991, No. 717, § 1.

6-82-1102. Definitions.

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

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

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

(3) (A) "Tuition" means charges levied for attendance at an eligible institution.

(B) For purposes of this subchapter, tuition charges shall not include any fees charged or used for student activities, including any student athletic fee; and

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

HISTORY: Acts 1991, No. 705, § 2; 1991, No. 717, § 2; 1995, No. 259, § 1; 1995, No. 262, § 1; 1997, No. 208, § 5.

6-82-1103. Eligibility -- Number of scholarships.

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

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

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

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

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

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

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

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

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

(i) Have either received a scholarship;

(ii) Have not applied by the application deadline; or

(iii) Are otherwise ineligible to receive a scholarship.

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

HISTORY: Acts 1991, No. 705, § 3; 1991, No. 717, § 3; 1995, No. 259, § 2; 1995, No. 262, § 2; 1999, No. 1323, § 45.

6-82-1104. Amount and duration of scholarship -- Funding.

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

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

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

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

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

HISTORY: Acts 1991, No. 705, § 4; 1991, No. 717, § 4; 1995, No. 259, § 3; 1995, No. 262, § 3.

6-82-1105. Rules and regulations -- Review -- Certified list.

(a) The Department of Higher Education is authorized by this subchapter to develop and promulgate rules and regulations for the administration of the Second Effort Scholarship Program, consistent with the purposes and requirements of this subchapter.

(b) The rules and regulations shall include:

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

(2) The method for selecting scholarship recipients;

(3) Rules for determining continuing eligibility;

(4) Procedures for making payment to recipients; and

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

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

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

HISTORY: Acts 1991, No. 705, § 5; 1991, No. 717, § 5; 1999, No. 1323, § 46.

6-81-605. Grants -- Priority.

(a) (1) The first priority for the award of funds under the Teacher Opportunity Program is the award of reimbursements under the Dual Licensure Incentive Program, §§ 6-81-608 and 6-81-609.

(2) If funds are available after all awards are made under the Dual Licensure Incentive Program, then additional reimbursements may be made in accordance with the following:

(A) Students may receive reimbursements up to but not in excess of the cost of student fees, books, and instructional supplies at the public institution of higher education in this state assessing the highest rate of student fees;

(B) The reimbursements made to one (1) individual within one (1) fiscal year may not exceed the costs associated with six (6) semester credit hours or the equivalent of six (6) semester credit hours; and

(C) All other requirements established by the Department of Higher Education are met.

(b) (1) The Department of Higher Education shall determine priorities for awarding reimbursements if there are more applicants than funds available.

(2) Priorities shall be determined in coordination with the Department of Education and shall be based on the needs of the state.

HISTORY: Acts 1987, No. 331, § 3; 2005, No. 2196, § 5; 2009, No. 1214, § 1.

6-81-606. Discrimination prohibited.

This subchapter shall in no way discriminate on the basis of race, color, national origin, religion, sex, or area of teacher education.

HISTORY: Acts 1987, No. 331, § 4.

6-81-607. Definitions.

As used in this subchapter:

(1) "Classroom teacher" means an individual who is required to hold a teaching license from the Department of Education and who is:

(A) Engaged directly in instruction with students in a classroom setting for more than seventy percent (70%) of the individual's contracted time;

(B) A media specialist or librarian;

(C) A guidance counselor; or

(D) An administrator;

(2) "Dual licensure" means licensure to teach in more than one (1) subject area; and

(3) "Student" means a classroom teacher who is attending an institution of higher education as part of the Dual Licensure Incentive Program, §§ 6-81-608 and 6-81-609.

HISTORY: Acts 2005, No. 2196, § 6; 2009, No. 1214, § 2.

6-81-608. Dual Licensure Incentive Program.

(a) There is created the Dual Licensure Incentive Program to encourage classroom teachers currently employed by school districts in the state to return to college to obtain licensure in one (1) or more additional subject areas.

(b) The program shall be administered by the Department of Higher Education.

(c) (1) A classroom teacher returning to college as a student may receive a reimbursement not to exceed the cost of

student fees, books, and instructional supplies.

(2) The student fee reimbursement amount shall be based on the student fees of the state-supported institution of higher education that assesses the highest rate of student fees in this state.

(d) The reimbursement made to a classroom teacher returning to college as a student in one (1) fiscal year may not exceed the cost associated with six (6) semester credit hours or the equivalent of six (6) semester credit hours.

HISTORY: Acts 2005, No. 2196, § 6; 2009, No. 1214, § 3.

6-81-609. Dual licensure funding.

(a) (1) (A) A classroom teacher employed by a school district in the state may receive a reimbursement from the Dual Licensure Incentive Program if the classroom teacher returns to an approved institution of higher education to obtain licensure in an additional subject area:

(i) Declared to be a shortage area by the Department of Education;

(ii) That the classroom teacher is currently teaching but for which he or she does not have a licensure; or

(iii) And grade level in which the school district has requested a waiver under § 6-17-309.

(B) (i) A reimbursement from the Dual Licensure Incentive Program shall include funding for the cost of tuition, books, and fees not to exceed three thousand dollars (\$ 3,000) each college year.

(ii) The amount of the reimbursement and the number of reimbursement recipients selected by the Department of Higher Education is contingent on the appropriation and availability of funding for such a purpose.

(2) To be eligible for a reimbursement under the program, the person shall be:

(A) Employed as a classroom teacher for no less than three (3) years of teaching immediately preceding the application; and

(B) Accepted for enrollment in a classroom teacher education program that will lead to a licensure to teach in a subject area that:

(i) Is different from the classroom teacher's current area of licensure; and

(ii) Either:

(a) Has been identified as a subject area with a shortage of classroom teachers as declared by the Department of Education; or

(b) Is in the grade level and subject matter area for which the school district has requested a waiver under § 6-17-309.

(b) (1) The Arkansas Higher Education Coordinating Board shall promulgate rules as necessary to implement the program.

(2) The number of classroom teacher participants each year shall be determined by the amount of funding available for the program and the limitations set under this section.

HISTORY: Acts 2005, No. 2196, § 6; 2009, No. 1214, § 4.

6-81-610. [Repealed.]

6-81-131. [Repealed.]

6-60-210. Minor child as legal resident.

(a) As used in this section, "minor child" means a child under twenty-one (21) years of age.

(b) Any minor child of a parent who is a legal resident of Arkansas shall be considered a legal resident of Arkansas for the following purposes:

(1) Admission and enrollment in a public institution of higher education; and

(2) Eligibility for a postsecondary scholarship offered by the State of Arkansas or by a public institution of higher education.

(c) In determining admission or scholarship eligibility, a public institution of higher education shall give the same consideration to an official high school transcript issued by an out-of-state school or school district on behalf of any minor child of a parent who is a legal resident of Arkansas as a high school transcript issued by a school or school district in Arkansas.

HISTORY: Acts 1997, No. 692, § 1.

6-81-1101. Tuition assistance for certain professional schools.

(a) The Department of Higher Education shall institute a program of making grants for the benefit of Arkansas residents to assist in paying tuition for attending certain accredited schools of dentistry, optometry, veterinary medicine, podiatry, chiropractic, or osteopathy located outside the State of Arkansas but within the United States.

(b) In addition to the Southern Regional Education Compact program for which the Arkansas Higher Education Coordinating Board serves as agent for the state and for which the department serves as disbursing agent pursuant to §§ 6-4-104 -- 6-4-107, the board is authorized to enter into direct contracts with selected accredited schools of dentistry, optometry, veterinary medicine, podiatry, chiropractic, or osteopathy which do not participate in the program if the board determines that the needs of the state are not being met by institutions participating in the program.

(c) For purposes of this section:

(1) "Grant" means a payment of tuition money made in accordance with this section to assist a qualified grantee in attending participating accredited schools of dentistry, optometry, veterinary medicine, podiatry, chiropractic, or osteopathy located outside the State of Arkansas;

(2) "Participating institution" or "participating school" means a professional or graduate school that:

(A) Is located outside the State of Arkansas but within the United States;

(B) Offers a full-time course of instruction in dentistry, optometry, veterinary medicine, podiatry, chiropractic, or osteopathy;

(C) Is accredited by an accrediting entity acceptable to the applicable licensing board of the profession;

(D) After completion of such course of instruction, grants a degree acceptable to the applicable licensing board as the sole requirement or as one (1) requirement for the applicable licensing board's granting of a professional license; and

(E) Is a party to a currently effective written agreement between the participating institution and the department or the Board of Control for Southern Regional Education; and

(3) "Qualified grantee" means a student who:

(A) Is a resident of the State of Arkansas;

(B) Has been accepted for enrollment at or is attending a participating accredited school of dentistry, optometry, veterinary medicine, podiatry, osteopathy, or chiropractic located outside the State of Arkansas; and

(C) Has been certified under § 6-4-106 by the department as qualified to participate in the grant program authorized by this section and consistent with § 6-4-106.

(d) (1) For participating schools that charge different annual tuition amounts for in-state students and out-of-state students, the amount of the grant will be the difference between the in-state tuition and the out-of-state tuition. However, should the differential exceed the contract price approved for similar programs by the Board of Control for Southern Regional Education in accordance with § 6-4-105(c), the lower amount will be paid.

(2) For participating schools which charge the same amount of annual tuition for in-state and out-of-state students and such annual tuition is extraordinary as determined by the department, the amount shall not be less than five thousand dollars (\$ 5,000) per student.

(e) (1) The program shall be administered by the department.

(2) The grants shall be made upon such terms and conditions as are prescribed by the department.

(3) The department shall promulgate such rules and regulations as are necessary to implement the provisions of this section.

(f) (1) The department will allocate, based upon funds appropriated, the number of eligible grant recipients to receive funds at each participating institution for each applicable academic period.

(2) Each participating institution will select eligible grant recipients for each applicable academic period. In the event that the number of eligible students accepted for enrollment at such participating institution exceeds the number of eligible grant recipients for whom funds have been allocated by the department from funds appropriated, such participating institution shall have sole discretion in selecting the eligible students to designate as eligible grant recipients.

(3) The department shall make grants according to the allocations made by the department and selections made by the participating institutions. The department shall have no obligation to make any grants except to the extent that funds have been appropriated and funded for the program.

HISTORY: Acts 1993, No. 1259, § 6; 1997, No. 923, § 1; 1999, No. 1218, § 7.

6-81-1102. [Repealed.]

6-81-1103. Repayment of out-of-state tuition paid by the State of Arkansas.

(a) The Department of Higher Education may provide loans from the Budget Stabilization Trust Fund in excess of the Board of Control for Southern Regional Education grant funds to dental students enrolled in professional programs outside the state for whom any part of the out-of-state tuition is paid by the State of Arkansas if the tuition paid to the out-of-state institution exceeds the board-contracted rate.

(b) The amount of the loans in excess of the board grant funds may be the amount of the out-of-state tuition paid by the student, but the amount of the loan may not exceed the amount by which the tuition exceeds the rate established by the board.

(c) The loans shall be made on an annual basis not to exceed the combined total of four (4) years.

- (d) The loans may be forgiven at the rate of one (1) year's loan for one (1) year's practice in Arkansas.
- (e) Repayment of the loan may be deferred but for no longer than five (5) years, for the following reasons:
 - (1) Military service;
 - (2) Specialty training; or
 - (3) Extraordinary circumstances as determined by the department.
- (f) The loans shall be made at a rate of interest determined by the department but not to exceed four percent (4%).

HISTORY: Acts 2003, No. 1715, § 1.

6-81-1104. Applicability.

The provisions of § 6-81-1103 shall not apply to Board of Control for Southern Regional Education grant funds.

HISTORY: Acts 2003, No. 1715, § 2.

6-81-1105. Veterinary medicine loans.

(a) As used in this section:

- (1) "Food animal" means bovine, porcine, ovine, camelid, cervid, poultry, and any other species determined by the State Veterinarian;
- (2) "Food supply veterinary medicine" means all aspects of veterinary medicine's involvement in food supply systems, from traditional agricultural production to consumption;
- (3) "Loan repayment" means a payment made to a recipient upon completion of yearly requirements;
- (4) "Participating institution" means the Mississippi State University College of Veterinary Medicine;
- (5) "Practice of food supply veterinary medicine" means a corporate or private veterinary practice with a minimum of thirty percent (30%) of the practice devoted to food animal medicine or mixed animal medicine located in rural areas; and
- (6) "Qualified recipient" means a student who:
 - (A) Is a resident of the State of Arkansas;
 - (B) Has completed a veterinarian medicine degree program at a participating institution;
 - (C) Is licensed to practice veterinary medicine in Arkansas; and
 - (D) Has been certified under § 6-4-106 by the Department of Higher Education as qualified to participate in the loan repayment program authorized by this section and consistent with § 6-4-106.

(b) The department shall institute a loan repayment program to:

- (1) Benefit Arkansas residents; and
- (2) Assist with the repayment of federal student loans for students that attended a participating institution and completed the requirements for loan repayment.

(c) (1) The department shall administer the program.

(2) (A) The department shall adopt rules to implement this section and address the terms and conditions of loan repayments made under this section.

(B) The terms of the loan repayment shall include without limitation:

(i) A requirement to practice food supply veterinary medicine for five (5) consecutive years; and

(ii) Conditions for loan repayment under § 6-81-1106.

(C) The loan repayment amount shall not exceed the amount of tuition assistance provided under the Southern Regional Education Compact program.

(d) The department shall:

(1) Allocate the number of qualified recipients to receive loan repayment based on the amount of funds appropriated;

(2) Determine the necessary procedures for awarding the loan repayments if the number of eligible applicants and recipients exceeds the funding available; and

(3) (A) Distribute loan repayments according to the allocations made by the department.

(B) The department shall not be obligated to make a loan repayment unless funds are appropriated.

HISTORY: Acts 2011, No. 881, § 1.

6-81-1106. Student loan repayment.

(a) As used in this section:

(1) "Food animal" means bovine, porcine, ovine, camelid, cervid, poultry, and any other species determined by the State Veterinarian;

(2) "Food supply veterinary medicine" means all aspects of veterinary medicine's involvement in food supply systems, from traditional agricultural production to consumption; and

(3) "Practice of food supply veterinary medicine" means a corporate or private veterinary practice with a minimum of thirty percent (30%) of the practice devoted to food animal medicine or mixed animal medicine located in rural areas.

(b) The Department of Higher Education shall repay federal student loans yearly for a maximum of five (5) consecutive years if the recipient:

(1) Practices food supply veterinary medicine in Arkansas within ninety (90) days after completion of:

(A) The professional degree program for which the loan was made;

(B) An internship program; or

(C) The professional degree program for which the loan was made and an internship program; and

(2) Maintains the practice of food supply veterinary medicine in Arkansas for a minimum of one (1) year for each year of loan repayment up to five (5) years with all five (5) years consecutive.

(c) A recipient who fails to satisfy the obligation to engage in the practice of food supply veterinary medicine for one (1) year in a five-consecutive-year period shall not receive the loan repayment amount.

(d) The obligation to engage in the practice of food supply veterinary medicine for a five-consecutive-year period shall be postponed during any:

- (1) Period of temporary medical disability if the recipient is unable to practice veterinary medicine;
- (2) Period of military service under § 6-61-112; or
- (3) Other period of postponement agreed to by the department.

(e) The department shall adopt rules to administer this section.

HISTORY: Acts 2011, No. 881, § 1.

6-80-105. Student financial aid -- Scholarship stacking.

(a) As used in this section:

(1) "Cost of attendance" means the recognized cost of attendance of an institution of higher education calculated under rules established by the Department of Higher Education;

(2) "Federal aid" means scholarships or grants awarded to a student as a result of the Free Application for Federal Student Aid, excluding the Pell Grant;

(3) "Other aid" means a scholarship, grant, waiver, or reimbursement for tuition, fees, books, or other cost of attendance, other than federal aid or state aid, provided to a student from a postsecondary institution or a private source;

(4) "State aid" means scholarships or grants awarded to a student from public funds, including without limitation the Arkansas Academic Challenge Scholarship under § 6-85-201 et seq., the Department of Higher Education scholarship and grant programs, state general revenues, tuition, and local tax revenue; and

(5) (A) "Student aid package" means federal aid, state aid, and other aid a student receives for postsecondary education expenses.

(B) "Student aid package" does not include federal aid, state aid, or other aid received by a student who is:

- (i) An active member of the armed forces of the United States;
- (ii) An active member of the National Guard;
- (iii) A member of the reserve components of the armed forces; or
- (iv) The spouse of a person under subdivision (a)(5)(B)(i), (ii), or (iii) of this section.

(b) (1) A postsecondary institution shall not award state aid in a student aid package in excess of the cost of attendance at the institution where the student enrolls.

(2) For the purpose of stacking scholarships in a student's student aid package, the Arkansas Academic Challenge Scholarship under § 6-85-201 et seq. shall be reduced or returned first.

(c) A postsecondary institution shall report to the department the total amount of federal aid, state aid, and other aid a student receives if the student receives an award from a department scholarship or grant program, including the Arkansas Academic Challenge Scholarship under § 6-85-201 et seq.

(d) (1) When a student receives a student aid package that includes state aid and the student aid package exceeds the cost of attendance, the postsecondary institution shall repay state aid in the amount exceeding the cost of attendance, starting with state aid received under the Arkansas Academic Challenge Scholarship under § 6-85-201 et seq.

(2) The department shall credit the excess state aid funds to the appropriate department fund or trust account.

(e) A student awarded state aid shall disclose all state aid, federal aid, and other aid to:

(1) The department if the department awards state aid to the student; and

(2) A postsecondary institution that awards state aid or other aid to the student.

HISTORY: Acts 1999, No. 1180, § 14; 2010, No. 265, § 18; 2010, No. 294, § 18; 2011, No. 207, §§ 2, 3; 2013, No. 957, § 1.

6-82-1601. Legislative findings and intent -- Purpose of subchapter.

(a) (1) The General Assembly, giving due consideration to the historical and continuing interest of the people of Arkansas in encouraging able and deserving students to realize their aspirations for postsecondary education, finds and declares that postsecondary education for residents of this state who desire an education and are properly qualified therefor is important to the welfare and security of this state and nation and consequently is an important public service.

(2) The General Assembly finds and declares that the state can achieve its full economic and social potential only if every individual has the opportunity to contribute to the full extent of his or her capabilities and only when financial barriers to his or her economic, social, and educational goals are removed.

(b) (1) The General Assembly recognizes the importance that Arkansans of all ages continue to pursue educational opportunities.

(2) Arkansans who desire to pursue educational enrichment and to improve present skills but who may be unable to attend postsecondary educational institutions in the traditional manner are commended for their initiative and persistence.

(c) It is the intent of this legislation to provide financial support to adult students who are unlikely to receive meaningful financial aid from traditional state or federal financial aid programs and to enhance the education of the

current work force in Arkansas.

HISTORY: Acts 2003, No. 1796, § 1.

6-82-1602. Definitions.

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

(1) "Approved institution" means a public-supported or private, non profit postsecondary institution with its primary headquarters located in Arkansas that is eligible to receive Title IV federal student aid funds or any nursing school with its primary headquarters located in Arkansas that is eligible to participate in Title IV federal student aid programs;

(2) "Arkansas Workforce Improvement Grant" means the amount of money paid by the State of Arkansas to a qualified applicant under this subchapter;

(3) "Credit certificate" means certificate programs that are taken for credit;

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

(5) "Eligible student" means any student who meets the criteria set out in this subchapter and who is eligible by rules and regulations authorized by this subchapter and promulgated by the Arkansas Higher Education Coordinating Board;

(6) (A) "Financial need" means the difference between the student's financial resources available as determined by the department and the student's total educational expenses, including tuition, mandatory fees, and board and room while attending an approved private or public institution of postsecondary education.

(B) In determining need, the department shall employ a formula of or a formula similar to a nationally recognized comprehensive mechanism for determining need;

(7) "Full-time student" means an individual resident of Arkansas as defined by the department who:

(A) Is a student at an approved private or public institution in a course of study leading to an associate's or bachelor's degree or completion of an occupational training program; and

(B) Is enrolled in at least twelve (12) semester hours or some other reasonable academic equivalent as defined by the department;

(8) "Program" means the Arkansas Workforce Improvement Grant Program;

(9) "Qualified student" means a student who meets eligibility criteria and financial need as determined by the department and who has demonstrated that an Arkansas Workforce Improvement Grant is warranted; and

(10) "Tuition" means charges levied for attendance at an approved institution, including mandatory fees.

HISTORY: Acts 2003, No. 1796, § 1; 2005, No. 2129, § 1.

6-82-1603. Program established.

There is established the Arkansas Workforce Improvement Grant Program to provide grants to residents of the State of Arkansas who:

(1) Are admitted to and in attendance as students at approved private or public institutions of postsecondary education in this state; and

(2) Establish academic ability and financial need as provided in this subchapter.

HISTORY: Acts 2003, No. 1796, § 1.

6-82-1604. Administration -- Authority of Department of Higher Education.

The Department of Higher Education shall administer the Arkansas Workforce Improvement Grant Program provided for in this subchapter and in so doing shall have the following authority and responsibility with respect to the program:

- (1) To consider all applications for an Arkansas Workforce Improvement Grant;
- (2) To prepare application forms and other forms as it shall deem necessary to properly administer and carry out the purposes of this subchapter and to furnish the forms to persons desiring to make application for a grant;
- (3) (A) To determine the necessary procedures for the awarding of grants should the number of eligible applicants exceed funds available, giving priority to those students who exhibit financial need and who meet academic eligibility requirements.

(B) To identify those students who exhibit financial need, the department shall utilize the family contribution method or another acceptable approved methodology;
- (4) To determine a termination date for the acceptance of applications;
- (5) To require applicants to file such additional information with the department as it may deem necessary and appropriate to carry out the purposes of this subchapter and to prevent fraud or misrepresentation or misleading representation by applicants;
- (6) To disburse grants to qualified students;
- (7) To adopt rules and regulations as the department deems necessary or appropriate to carry out the purposes of this subchapter;
- (8) To cooperate with and receive the cooperation of the approved private and public institutions of postsecondary education in the state and their governing bodies in the administration of the program;
- (9) To establish and consult as necessary an advisory committee representing the private and public sectors of postsecondary education in determining guidelines and regulations for administration of the program, including, but not limited to, rules determining academic ability, financial need, and residency;
- (10) To employ or engage such professional, administrative, clerical, and other employees as may be necessary to assist the department in the performance of its duties and responsibilities; and
- (11) To provide fair and equitable treatment to all approved institutions and students.

HISTORY: Acts 2003, No. 1796, § 1; 2005, No. 2129, § 2.

6-82-1605. Eligibility.

A qualified student shall be eligible for an initial or renewed state Arkansas Workforce Improvement Grant only if the student:

- (1) Is a citizen of the United States or a permanent resident alien;
- (2) Is a resident of the State of Arkansas as determined by the Department of Higher Education for at least six (6) months immediately preceding the date on which the student applies;

(3) Is accepted for admission at an approved institution of postsecondary education of his or her choice to pursue a baccalaureate degree, an associate degree, or a credit certificate;

(4) Is enrolled in no fewer than three (3) credit hours or the equivalent as of the eleventh day of class at an approved institution that the department has determined to be eligible to participate in the Arkansas Workforce Improvement Grant Program;

(5) (A) As an initial first-year student, meets satisfactory academic progress standards required to receive other financial aid at the institution to be attended as determined by the rules and regulations of the department.

(B) After the initial first year, the student meets satisfactory academic progress standards of the institution attended;

(6) Has not earned a baccalaureate degree;

(7) Does not owe a refund on a Pell Grant, Federal Supplemental Educational Opportunity Grant, or State Student Incentive Grant award or is not in default on a National Defense/Direct Student Loan, Federal Perkins Loan, Stafford Loan, a supplemental educational loan, Parent Loan for Undergraduate Students, Income Contingent Loan, William D. Ford Federal Direct Loan, or a consolidated loan under the Federal Direct Student Loan Program;

(8) Has not borrowed, as determined by the institution to be attended, in excess of the annual loan limits under the Federal Family Education Loan Program, William D. Ford Federal Direct Loan Program, Income Contingent Loan Demonstration Program, Stafford Loan Program, Parent Loan for Undergraduate Students Program, or a supplemental educational loan in the same academic year for which the student has applied for assistance under the Arkansas Workforce Improvement Grant Program and has not borrowed in excess of the aggregate maximum loan limits under the Arkansas Workforce Improvement Grant Program;

(9) Is twenty-four (24) years of age or older on or before the first day of the semester or summer sessions in which the grant has been awarded; and

(10) Either:

(A) (i) Graduated from high school or passed the General Educational Development Test; and

(ii) Meets the ability-to-benefit criteria as defined by federal regulations in existence on January 1, 2003; or

(B) Enrolls in a combined general education development program and postsecondary credential program.

HISTORY: Acts 2003, No. 1796, § 1; 2005, No. 2129, § 3; 2013, No. 1416, § 1.

6-82-1606. Qualified student entitled to grant.

A qualified student who is enrolled or has been accepted for enrollment at an approved private or public institution and who meets other eligibility criteria shall be entitled to a Workforce Improvement Grant based on academic ability and financial need as determined by the Department of Higher Education.

HISTORY: Acts 2003, No. 1796, § 1.

6-82-1607. Duties of applicant for grant.

In accordance with the provisions of this subchapter and the rules and regulations of the Department of Higher Education adopted pursuant to this subchapter, each applicant shall:

(1) Complete and file with the department either directly or through a service recognized by the department the appropriate application for an Arkansas Workforce Improvement Grant and other information and data as may be requested by the department for its use and consideration in determining the eligibility of the applicant; and

(2) Promptly furnish to the department information regarding any other financial aid received, any change in the financial status of the applicant, and any other information that might have a direct bearing on the eligibility of the applicant for assistance under this subchapter.

HISTORY: Acts 2003, No. 1796, § 1; 2005, No. 2129, § 4.

6-82-1608. Amounts of grants.

(a) Each person awarded an Arkansas Workforce Improvement Grant shall receive the grant for one (1) academic year or its equivalent for part-time students as defined by the Department of Higher Education.

(b) The grant may be renewable for up to three (3) academic years or the equivalent for part-time students if the person applies and meets continuing eligibility criteria established by the department.

(c) (1) The amount of the annual grant for full-time students shall not exceed the lesser of two thousand dollars (\$ 2,000) per academic year or the cost of tuition at the institution.

(2) The amount of the annual grant for part-time students shall be prorated on the basis of the number of credit hours enrolled each term not to exceed the lesser of two thousand dollars (\$ 2,000) or the cost of tuition at the institution per academic year.

(3) The maximum total grant shall be eight thousand dollars (\$ 8,000).

(4) The amount of any award under subdivisions (c)(1) or (2) of this section shall be reduced by the amount of any Pell Grant received by the student for the academic year.

(d) The enrollment hours shall be determined on the eleventh class day or the official department counting day.

(e) The department may promulgate rules and regulations to allow institutions to make emergency grants to students under the Arkansas Workforce Improvement Grant Program.

HISTORY: Acts 2003, No. 1796, § 1; 2005, No. 2129, § 5.

6-82-1609. Award made to student.

The Arkansas Workforce Improvement Grant is to be awarded directly to the student by an eligible postsecondary institution in the name of the student and in a manner to be determined by the Department of Higher Education.

HISTORY: Acts 2003, No. 1796, § 1; 2005, No. 2129, § 6.

6-82-1610. Withdrawal and refunds.

If a recipient of a Workforce Improvement Grant at any time withdraws from an approved private or public institution so that under the rules and regulations of that institution he or she is entitled to a refund of any tuition, fees, or other charges, the institution shall pay the refund to which the student may be entitled to the Department of Higher Education to the extent of any amount the department has paid to the student for that academic year.

HISTORY: Acts 2003, No. 1796, § 1.

6-82-1611. [Repealed.]

6-82-1612. Arkansas Workforce Improvement Grant Advisory Committee.

(a) There is created the Arkansas Workforce Improvement Grant Advisory Committee.

(b) The committee shall consist of eight (8) members to be appointed by the Director of the Department of Higher Education as follows:

- (1) Three (3) members who are representative of public or private two-year educational institutions;
- (2) Three (3) members who are representative of public or private four-year educational institutions;
- (3) The Executive Director of the Arkansas Association of Two-Year Colleges or his or her designee; and
- (4) The President of the Arkansas Association of Student Financial Aid Administrators.

(c) (1) The committee members shall initially be appointed for staggered terms so that the terms of one (1) member from a two-year institution and one (1) member of a four-year institution expire each year for a period of three (3) years.

(2) Thereafter, each member shall be appointed to serve a term of three (3) years.

(d) Vacancies on the committee shall be filled by appointment of the director to serve out the remainder of the term of the vacated position.

(e) A member of the committee shall not be entitled to compensation for his or her services and shall not receive expense reimbursement except from the institution employing the member.

(f) The Department of Higher Education shall provide necessary staff to assist the committee with the range and diversity of its charge.

(g) (1) The committee shall hold its first meeting within thirty (30) days after its appointment to organize as necessary to carry out its purposes as prescribed by this subchapter.

(2) The director shall designate a person on the committee to call and preside at the first meeting.

(h) Four (4) of the members of the committee shall constitute a quorum for the transaction of business.

(i) The committee shall select by majority vote one (1) of its members to serve as chair and one (1) to serve as vice chair.

(j) (1) The committee shall meet as necessary to carry out the duties of the committee.

(2) Meetings may be called by the chair or as provided by the rules of the committee.

(k) The committee shall provide advice to the department concerning the development of rules and regulations for the operation and administration of the Arkansas Workforce Improvement Grant Program.

HISTORY: Acts 2003, No. 1796, § 1.

6-82-1613. Rules and regulations.

(a) (1) The Department of Higher Education shall promulgate rules and regulations for the administration of the Arkansas Workforce Improvement Grant Program by the institutions of higher education consistent with the purposes and requirements of this subchapter.

(2) The rules and regulations shall be reviewed by the Arkansas Workforce Improvement Grant Advisory Committee and approved by the Arkansas Higher Education Coordinating Board.

(b) The rules and regulations shall include:

- (1) Student eligibility criteria based on the provisions of this subchapter;
 - (2) The method for selecting grant recipients;
 - (3) Rules for determining continuing eligibility;
 - (4) Procedures for making payment to recipients;
 - (5) Satisfactory academic standards; and
 - (6) Other administrative procedures that may be necessary for the implementation and operation of the program.
- (c) The department shall file a report no later than December 1 of each year with the Legislative Council stating the total annual number of recipients in the program and the total annual amount of grants awarded.

HISTORY: Acts 2003, No. 1796, § 1; 2005, No. 2129, § 8.

6-82-1614. Funding.

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

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

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

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

HISTORY: Acts 2003, No. 1796, § 1.

6-81-1501. [Repealed.]

6-81-1502. [Repealed.]

6-81-1503. [Repealed.]

6-81-1504. [Repealed.]

6-81-1505. [Repealed.]

6-81-1506. [Repealed.]

6-81-1507. [Repealed.]

6-82-1501. Title.

This subchapter shall be known and may be cited as the "Arkansas Geographical Critical Needs Minority Teacher Scholarship Program Act of 2001".

HISTORY: Acts 2001, No. 1731, § 1.

6-82-1502. Program established -- Purpose.

(a) There is established the Critical Needs Minority Teacher Scholarship Program.

(b) The purpose of the program is to attract qualified minority teachers to the Delta and those geographical areas of the state where there exists a critical shortage of teachers by awarding scholarships to minorities declaring an intention to serve in the teaching field who actually render service to this state while possessing an appropriate teaching license.

HISTORY: Acts 2001, No. 1731, § 2; 2003, No. 1746, § 1.

6-82-1503. Eligibility for scholarship -- Amount.

(a) (1) The term "minority" when used in this subchapter shall refer to Black Americans, Hispanic Americans, Asian Americans, and Native Americans.

(2) The Native American group includes all persons having origins in any of the original peoples of North America and who maintain cultural identification through tribal affiliation or community recognition.

(b) Any individual who is a minority and who is enrolled in or accepted for enrollment at a baccalaureate degree-granting institution of higher learning whose teacher education program is approved by the State Board of Education or at an accredited state-supported community college in the State of Arkansas who expresses in writing an intention to teach in a geographical area of the state in which there exists a critical shortage of teachers, as designated by the board, shall be eligible for a financial Critical Needs Minority Teacher Scholarship to be applied toward the costs of the individual's college education, if:

(1) The applicant has a grade point average of 2.5 on a 4.0 scale in high school if the applicant graduated within the five (5) preceding years; and

(2) The applicant scored nineteen (19) or above on the American College Test composite or the equivalent as defined by the University of Arkansas at Pine Bluff.

(c) (1) The university is authorized to develop selection criteria through program rules and regulations which combine an applicant's American College Test or equivalent score and grade point average in the core curriculum into a selection index.

(2) Notwithstanding the provisions of subdivisions (b)(1) and (b)(2) of this section, this selection index shall be employed as an alternative selection process for applicants who achieve a grade point average below 2.5 on a 4.0 scale or for applicants who have an American College Test composite or equivalent score greater than nineteen (19).

(d) (1) The annual amount of the scholarship shall be one thousand five hundred dollars (\$ 1,500) per year.

(2) Awards made to nonresidents of the state shall not include any amount assessed by the college or university for out-of-state tuition.

(e) (1) Awards granted under the Critical Needs Minority Scholarship Program shall be available to both full-time and part-time students.

(2) Students enrolling on a full-time basis may receive a maximum of four (4) annual awards.

(3) The maximum number of awards that may be made to students attending school on a part-time basis and the maximum time period for part-time students to complete the number of academic hours necessary to obtain a baccalaureate degree in education shall be established by rules and regulations jointly promulgated by the university and the Department of Higher Education.

(f) Scholarships shall not be based upon an applicant's eligibility for financial aid.

HISTORY: Acts 2001, No. 1731, § 3; 2003, No. 1746, § 2.

6-82-1504. Service requirement for scholarship recipients.

(a) Except in those cases where employment positions may not be available upon completion of licensure requirements, at the beginning of the first school year in which a recipient of a Critical Needs Minority Teacher Scholarship is eligible for employment as a licensed teacher, that person shall begin to render service as a licensed teacher in a public school district in a geographical area of the state where there is a critical shortage of teachers or in the Delta, as designated by the Department of Education.

(b) (1) Any person who received four (4) annual awards, or the equivalent of four (4) annual awards, shall render two (2) years' service as a licensed teacher.

(2) Any person who received fewer than four (4) annual awards, or the equivalent of four (4) annual awards, shall render one (1) school semester of service as a licensed teacher for each year that the person received a full-time student scholarship or for the number of academic hours equivalent to one (1) school year, as determined by the university, for which a part-time student received a scholarship.

(c) Students receiving a scholarship shall execute a note made payable to the university for an amount equal to the scholarship award each semester that shall bear interest at a rate to be determined by the Department of Higher Education beginning September 1 after completion of the program or immediately after termination of the scholarship loan, whichever is earlier.

(d) (1) Any person failing to complete a program of study which will enable the person to become a licensed teacher shall begin repaying the note according to the note's terms for the sum of all scholarship awards made to that person less the corresponding amount of any awards for which service has been rendered.

(2) Any person failing to complete his or her teaching obligation, as required under subsection (b) of this section, shall begin repaying the note according to the note's terms for the sum of all scholarship awards made to that person less the corresponding amount of any awards for which service has been rendered, except in the case of a deferral of debt for cause approved by the State Board of Education if there is no employment position immediately available upon a teacher's completion of licensure requirements.

(3) After the period of the deferral, the person shall begin or resume teaching duties as required under this section or shall become liable on the note under this section.

(4) If a claim for payment under subsection (c) is placed in the hands of an attorney for collection, the obligor shall be liable for an additional amount equal to a reasonable attorney's fee.

(e) The obligations made by the recipient of a scholarship award shall not be voidable by reason of the age of the student at the time of receiving the scholarship.

HISTORY: Acts 2001, No. 1731, § 4; 2003, No. 1746, § 3.

6-82-1505. Rules and regulations -- Administration -- Report.

(a) The University of Arkansas at Pine Bluff and the Department of Higher Education shall jointly promulgate rules and regulations necessary for the proper administration of the Critical Needs Minority Teacher Scholarship Program.

(b) The university shall be the administering agency of the program.

(c) If sufficient funds are not available to fully fund scholarship awards to all eligible students, the university shall make the awards to first-time students on a first-come, first-served basis. However, priority consideration shall be given to persons previously receiving awards under the program.

(d) All funds received by the university from the repayment of scholarship awards by program participants shall be deposited in the fund that provides funding for the program.

- (e) (1) The university shall make an annual report to the General Assembly.
- (2) Each report shall contain a complete enumeration of the:
 - (A) Program's activities;
 - (B) Scholarships granted;
 - (C) Names of persons to whom granted;
 - (D) Institutions attended by those receiving the scholarships; and
 - (E) Teaching location of applicants who have received their education and become licensed teachers within this state as a result of the scholarships.
- (3) The university shall make a full report and account of receipts and expenditures for salaries and expenses incurred under this section.
- (4) Upon its records and any published reports, the university shall distinguish among those recipients who:
 - (A) Have paid their financial obligations in full;
 - (B) Have breached their contracts but with the university's permission; and
 - (C) Have breached their contracts and remain financially indebted to the state.
- (f) The requirements of this subchapter are contingent on the funding available for the program.
- (g) The university is authorized to determine the necessary procedures for the awarding of forgivable loans should the number of eligible applicants and recipients exceed the funds available, so long as the procedures are consistent with subsection (c) of this section.

HISTORY: Acts 2001, No. 1731, § 4; 2003, No. 1746, § 4.

6-82-1506. Committee.

- (a) There is established a committee to be known as the Critical Needs Minority Teacher Scholarship Program Committee.
- (b) The committee shall consist of five (5) members to be appointed by the Chancellor of the University of Arkansas at Pine Bluff.
- (c) The appointed committee members shall be:
 - (1) Individuals who have demonstrated a commitment to education; and
 - (2) Residents of the State of Arkansas at the time of appointment and throughout their term.
- (d) The members shall be appointed for terms of two (2) years.
- (e) (1) If a vacancy occurs in an appointed position for any reason, the vacancy shall be filled by appointment of the chancellor.
- (2) The new appointee shall serve for the remainder of the unexpired term.

(f) The chancellor shall designate one (1) of the members to serve as chairperson.

(g) (1) The committee shall meet at times and places the chairperson deems necessary, but no meetings shall be held outside of the State of Arkansas.

(2) Three (3) of the members of the committee shall constitute a quorum for the purpose of transacting business.

(3) All action of the committee shall be by approval of a quorum.

(h) The committee shall:

(1) Select the recipients of the Arkansas Teaching Fellows forgivable loans; and

(2) Perform other duties or functions regarding the Critical Needs Minority Teacher Scholarship Program as may be requested by the chancellor.

(i) (1) The university shall provide staff and office space to the committee.

(2) (A) Members of the committee shall serve without pay.

(B) Members of the committee may receive expense reimbursement in accordance with § 25-16-902, to be paid with funds appropriated for administration of the program to the extent money is available.

HISTORY: Acts 2003, No. 1746, § 5.

6-82-1701. Legislative intent.

(a) The General Assembly finds that tuition assistance to low-income students is a key contributor to college and workforce success.

(b) Tuition assistance will significantly enhance the ability of low-income students to obtain college degrees and be productive citizens of Arkansas and correspondingly benefit the State of Arkansas as a whole.

HISTORY: Acts 2007, No. 1030, § 1.

6-82-1702. Definitions.

As used in this subchapter:

(1) (A) "Approved institution" means a public or private institution of higher education located in Arkansas that:

(i) Is accredited by the Higher Learning Commission of the North Central Association of Colleges and Schools; or

(ii) Certifies to the Department of Higher Education that its students are accepted for transfer at institutions accredited by the Higher Learning Commission of the North Central Association of Colleges and Schools.

(B) "Approved institution" does not include an institution of higher education that discriminates against applicants, students, or employees on the basis of race, color, religion, sex, age, handicap, or national origin consistent with the provisions of applicable state and federal law;

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

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

(4) "Full-time undergraduate student" means a resident of Arkansas who attends an approved institution of higher education and is enrolled in at least twelve (12) credit hours or the equivalent the first semester and fifteen (15) credit hours or the equivalent thereafter, as defined by rule of the Department of Higher Education, in a program of study that leads to or is creditable toward an associate degree or a baccalaureate degree;

(5) "High school graduate equivalent" means a student who passes the General Educational Development test in Arkansas;

(6) "Part-time undergraduate student" means a resident of Arkansas who attends an approved institution of higher education and is enrolled in at least six (6) credit hours per semester or the equivalent but no more than twelve (12) credit hours or the equivalent the first semester and fifteen (15) credit hours or the equivalent thereafter, as defined by rule of the Department of Higher Education, in a program of study that leads to or is creditable towards an associate degree or a baccalaureate degree; and

(7) "Qualified certificate program" means a program that is:

(A) Offered by an approved institution of higher education;

(B) Shorter in duration than an associate degree for which credit hours are awarded that are creditable towards an associate degree; and

(C) Recognized by the United States Department of Education for financial aid purposes.

HISTORY: Acts 2007, No. 1030, § 1; 2009, No. 1213, § 1.

6-82-1703. Establishment.

The Higher Education Opportunities Grant Program is established to increase the opportunities of low-income students to pursue higher education opportunities.

HISTORY: Acts 2007, No. 1030, § 1.

6-82-1704. Eligibility.

(a) Eligibility for the Higher Education Opportunities Grant Program shall be based on criteria established by rule of the Department of Higher Education.

(b) The criteria established by the department shall include the following:

(1) An applicant shall be a citizen of the United States or a permanent resident alien;

(2) An applicant shall be a bona fide resident of the state as defined by the department for a minimum of twelve (12) months immediately before the date on which the student applies;

(3) An applicant shall be accepted for admission in a qualified certificate program, associate degree program, or a baccalaureate program at an approved institution of higher education as a full-time or part-time student, as defined by the department;

(4) An applicant shall certify that he or she is drug-free and shall pledge in writing on the application form to refrain from the use or abuse of illegal substances; and

(5) (A) An applicant shall demonstrate financial need as determined by the department.

(B) In determining financial need, the following criteria shall be used:

(i) An applicant whose number in the household, as reported on the Free Application for Federal Student Aid, is "one (1)" shall have an average family adjusted gross income not exceeding twenty-five thousand dollars (\$ 25,000) per year at the time of application to the program;

(ii) An applicant whose number in the household, as reported on the Free Application for Federal Student Aid, includes more than one (1) shall add an additional five thousand dollars (\$ 5,000) per additional number in the household up to ten (10) additional household members, as reported on the Free Application for Federal Student Aid to the base income of twenty-five thousand dollars (\$ 25,000); and

(iii) The department shall have the authority to adjust these financial need family income requirements on an annual basis, using the federal Consumer Price Index to make any necessary changes. Other financial need criteria necessary for the selection of recipients, including those defined as emancipated or independent by federal student aid regulations, shall be established through rules issued by the department.

HISTORY: Acts 2007, No. 1030, § 1; 2009, No. 1213, § 2.

6-82-1705. Recipients.

(a) Students who receive grants under this subchapter shall be known as Higher Education Opportunities Grant recipients.

(b) An eligible recipient shall receive a grant for one (1) academic year, renewable for up to a total cumulative award amount of four thousand dollars (\$ 4,000) if the recipient meets continuing eligibility criteria established by rule of the Department of Higher Education.

(c) The amount of the annual grant awarded to each recipient shall be one thousand dollars (\$ 1,000) for full-time students and five hundred dollars (\$ 500) for part-time students.

(d) No student's total financial aid package, including multiple scholarships, shall exceed the recognized cost of attendance at an institution of higher education.

(e) Awards shall be applied only to a fall semester and a spring semester.

HISTORY: Acts 2007, No. 1030, § 1; 2009, No. 1213, § 3.

6-82-1706. Rules.

(a) The Department of Higher Education shall promulgate rules for the administration of the Higher Education Opportunities Grant Program consistent with the purposes and requirements of this subchapter.

(b) The rules shall include:

- (1) Student eligibility criteria incorporating the requirements of this subchapter;
- (2) A method for selecting grant recipients;
- (3) A method for determining continuing eligibility;
- (4) Procedures for making payment to recipients; and
- (5) Other administrative procedures necessary for the implementation and operation of the program.

HISTORY: Acts 2007, No. 1030, § 1.

6-82-1707. Administrative costs.

The Department of Higher Education is authorized to expend each year up to two percent (2%) of the amount appropriated for the Higher Education Opportunities Grant Program for data processing and other administrative costs of the program.

HISTORY: Acts 2007, No. 1030, § 1.

6-82-1708. Informational materials.

The Department of Education and the Department of Higher Education shall develop appropriate informational materials on the Higher Education Opportunities Grant Program for distribution to all Arkansas students in grades seven through twelve (7-12) each year as part of the packet of materials on precollegiate preparation distributed by the Department of Education.

HISTORY: Acts 2007, No. 1030, § 1.

6-82-1709. Program evaluation.

The Director of the Department of Higher Education may review and evaluate the operation of the Higher Education Opportunities Grant Program with regard to eligibility criteria and size of the grant award to ensure that the program's operation meets the intent of this legislation.

HISTORY: Acts 2007, No. 1030, § 1.

6-82-106. Scholarship awards.

(a) The Department of Higher Education is authorized to award scholarships to students who are accepted to a Washington, D.C. public policy academic internship, as determined by the department, if funding is appropriated and available.

(b) The department may promulgate rules to administer this section.

HISTORY: Acts 2007, No. 1046, § 2.

6-81-1601. Title.

This subchapter shall be known as the "State Teacher Education Program".

HISTORY: Acts 2009, No. 1215, § 3.

6-81-1602. Definitions.

As used in this subchapter:

(1) "Approved institution" means a state-supported institution of higher education, a nursing school, or a private nonprofit institution of higher education that:

(A) Maintains its primary headquarters in the state;

(B) Is eligible to receive Title IV federal student aid program funds; and

(C) Is approved by the Department of Higher Education as eligible to participate in the State Teacher Education Program;

(2) "Eligible student" means a student who:

(A) Meets the criteria set out in this subchapter; and

(B) Is found to be eligible by rules promulgated by the Department of Higher Education; and

(3) "Teacher education program" means a program administered by the Department of Higher Education that provides loan repayments to a licensed teacher who teaches in a subject area or a geographic area with teacher shortage as determined by the Department of Higher Education in consultation with the Department of Education.

HISTORY: Acts 2009, No. 1215, § 3.

6-81-1603. Purpose.

The purpose of the State Teacher Education Program is to improve the educational system in the state by encouraging students to teach in subject areas and geographic areas with teacher shortages.

HISTORY: Acts 2009, No. 1215, § 3.

6-81-1604. Administration of the program.

(a) The State Teacher Education Program shall be administered by the Department of Higher Education.

(b) The department shall adopt standards for awarding the loan repayments to a public school teacher with an Arkansas teacher's license teaching in a:

(1) Subject area with a teacher shortage; or

(2) Geographic area with teacher shortage.

(c) The requirements of this subchapter are contingent on the funding available for the program.

(d) The department may determine the necessary procedures for awarding the loan repayments if the number of eligible applicants and recipients exceeds available funding.

HISTORY: Acts 2009, No. 1215, § 3.

6-81-1605. Eligibility.

To be eligible for the State Teacher Education Program, an applicant shall:

(1) Teach full-time at a public school district in a subject area or geographic area with a teacher shortage, as identified by the Department of Higher Education in consultation with the Department of Education;

(2) Hold a valid Arkansas teacher's license; and

(3) Meet additional continuing eligibility criteria established by the Department of Higher Education.

HISTORY: Acts 2009, No. 1215, § 3.

6-81-1606. Duration -- Amount.

(a) The State Teacher Education Program shall be used to provide a loan repayment for federal student loans in the amount of:

(1) Three thousand dollars (\$ 3,000) per year for a maximum of three (3) years for a licensed teacher who graduated from a teacher education program after April 2004 and teaches in a public school in this state:

(A) In a subject area designated by the Department of Higher Education in consultation with the Department of Education as having a critical shortage of teachers; or

(B) Located in a geographical area of the state designated by the Department of Higher Education in consultation with the Department of Education as having a critical shortage of teachers; and

(2) An additional one thousand dollars (\$ 1,000) per year for a maximum of three (3) years for a licensed teacher who is a minority and who graduated from a teacher education program after April 2004 and teaches in a public school in this state.

(b) The Department of Higher Education may spend no more than fifty thousand dollars (\$ 50,000) annually for costs associated with the administration of the program.

(c) The Department of Higher Education shall promulgate rules necessary for the implementation of this subchapter.

HISTORY: Acts 2009, No. 1215, § 3.

6-81-801 -- 6-81-810. [Repealed.]

Act 978 of 2015

SECTION 1. REGULAR SALARIES - GENERAL OPERATIONS. There is hereby established for the Department of Higher Education for the 2015-2016 fiscal year, the following maximum number of regular employees.

Maximum Annual

Maximum Salary Rate

Item Class No. of Fiscal Year

No. Code Title Employees 2015-2016

- (1) U024U DHE DIRECTOR 1 \$203,323
- (2) U089U DHE DEPUTY DIRECTOR 1 \$146,295
- (3) N002N DHE SENIOR ASSOC DIRECTOR 2 GRADE N913
- (4) N041N DHE ASSOC DIR FOR ACADEMIC AFFAIRS 1 GRADE N909
- (5) N055N DHE ASSOCIATE DIRECTOR 2 GRADE N908
- (6) N054N DHE CAREER PATHWAYS DIRECTOR 1 GRADE N908
- (7) A010C AGENCY CONTROLLER II 1 GRADE C128
- (8) D007C INFORMATION SYSTEMS MANAGER 1 GRADE C128
- (9) G019C GENERAL COUNSEL 1 GRADE C127
- (10) G043C DHE FINANCIAL AID MANAGER 1 GRADE C126
- (11) D016C SENIOR TECHNOLOGY ANALYST 1 GRADE C126
- (12) G058C DHE FEDERAL PROGRAM MANAGER 2 GRADE C125
- (13) G071C DHE PROGRAM COORDINATOR 7 GRADE C124
- (14) D028C SENIOR SOFTWARE SUPPORT SPECIALIST 2 GRADE C124
- (15) P005C DHE COMMUNICATIONS COORDINATOR 1 GRADE C123
- (16) G102C DHE PROGRAM SPECIALIST 21 GRADE C122
- (17) A052C ACCOUNTING COORDINATOR 1 GRADE C121
- (18) C010C EXECUTIVE ASSISTANT TO THE DIRECTOR 1 GRADE C118
- (19) A089C ACCOUNTANT I 1 GRADE C116 13 MAX. NO. OF EMPLOYEES 49

SECTION 2. EXTRA HELP - GENERAL OPERATIONS. There is hereby authorized, for the Department of Higher Education for the 2015-2016 fiscal year, the following maximum number of part-time or temporary employees, to be known as "Extra Help", payable from funds appropriated herein for such purposes: seventeen (17) temporary or part-time employees, when needed, at rates of pay not to exceed those provided in the Uniform Classification and Compensation Act, or its successor, or this act for the appropriate classification.

SECTION 3. APPROPRIATION - GENERAL OPERATIONS. There is hereby appropriated, to the Department of Higher Education, to be payable from the Department of Higher Education Fund Account, for personal services and operating expenses of the Department of Higher Education for the fiscal year ending June 30, 2016, the following:

ITEM FISCAL YEAR NO. 2015-2016

(01)REGULAR SALARIES \$2,429,974

(02)EXTRA HELP 3,000

(03)PERSONAL SERVICES MATCHING 729,697

(04)MAINT. & GEN. OPERATION

(A) OPER. EXPENSE 912,755

(B) CONF. & TRAVEL 25,000

(C) PROF. FEES 160,000

(D) CAP. OUTLAY 50,000

(E) DATA PROC. 0 5 TOTAL AMOUNT APPROPRIATED \$4,310,426

SECTION 4. APPROPRIATION - STUDENT ASSISTANCE GRANTS AND VARIOUS 8 SCHOLARSHIPS. There is hereby appropriated, to the Department of Higher Education, to be payable from the Higher Education Grants Fund Account, for providing student assistance grants and various scholarships as provided by law, of the Department of Higher Education for the fiscal year ending June 30, 2016, the following:

ITEM FISCAL YEAR NO. 2015-2016

(01)HIGHER EDUCATION OPPORTUNITIES GRANT \$6,000,000

(02)SREB MINORITY DOCTORAL SCHOLARS 175,000

(03)WASHINGTON CENTER SCHOLARSHIPS 100,000

(04)TUITION ADJUSTMENT 350,000

(05)AR ACADEMIC CHALLENGE SCHOLARSHIPS 25,000,000

(06)ARKANSAS GOVERNOR'S SCHOLARS 15,200,000

(07)STUDENT UNDERGRADUATE RESEARCH FELLOWSHIP PROGRAM (SURF)
150,000

(08)NATIONAL GUARD TUITION INCENTIVE PROGRAM 1,400,000

(09)SINGLE PARENT SCHOLARSHIP PROGRAM 175,000

(10)STATE TEACHER EDUCATION PROGRAM 2,000,000

(11)TEACHER OPPORTUNITY PROGRAM 1,500,000

(12)WORKFORCE IMPROVEMENT GRANTS 3,000,000

(13)AR GEOGRAPHICAL CRITICAL NEEDS MINORITY TEACHER SCHOLARSHIPS
150,000

(14)DEPENDENTS OF LAW ENFORCEMENT 33 OFFICERS, ETC. SCHOLARSHIPS
400,000

(15)DEPENDENTS OF POWS, MIAS, KIAS-TUITION WAIVER SCHOLARSHIPS
450,000 1 TOTAL AMOUNT APPROPRIATED \$56,050,000

SECTION 5. APPROPRIATION - STATE SCHOLARSHIP - FEDERAL. There is hereby appropriated, to the Department of Higher Education, to be payable from the federal funds as designated by the Chief Fiscal Officer of the State, for grants-in-aid of the Department of Higher Education - State Scholarship - Federal Program for the fiscal year ending June 30, 2016, the following:

ITEM FISCAL YEAR NO. 2015-2016

(01)GRANTS IN AID-STATE 13 SCHOLARSHIPS-FEDERAL \$750,000

SECTION 6. APPROPRIATION - TECHNICAL EDUCATION - FEDERAL PROGRAMS. There is hereby appropriated, to the Department of Higher Education, to be payable from the federal funds as designated by the Chief Fiscal Officer of the State, for personal services and operating expenses of the Department of Higher Education - Technical Education - Federal Programs for the fiscal year ending June 30, 2016, the following:

ITEM FISCAL YEAR NO. 2015-2016

(01)REGULAR SALARIES \$140,309

(02)PERSONAL SERVICES MATCHING 41,608

(03)MAINT. & GEN. OPERATION

(A)OPER. EXPENSE 77,251

(B) CONF. & TRAVEL 15,200

(C) PROF. FEES 110,500

(D)CAP. OUTLAY 0

(E) DATA PROC. 0 32 TOTAL AMOUNT APPROPRIATED \$384,868

SECTION 7. APPROPRIATION - IMPROVING TEACHER QUALITY. There is hereby appropriated, to the Department of Higher Education, to be payable from the federal funds as designated by the Chief Fiscal Officer of the State, for operating expenses and grants-in-aid of the Department of Higher Education - Improving Teacher Quality Program for the fiscal year ending June 30, 2016, the following:

ITEM FISCAL YEAR NO. 2015-2016

(01)MAINT. & GEN. OPERATION

(A)OPER. EXPENSE \$2,500

(B) CONF. & TRAVEL 0

(C) PROF. FEES 0

(D)CAP. OUTLAY 0

(E) DATA PROC. 0

(02)IMPROVING TEACHER QUALITY GRANTS/AID 713,000

TOTAL AMOUNT APPROPRIATED \$715,500

SECTION 8. APPROPRIATION - RESEARCH DEVELOPMENT PROGRAM. There is hereby appropriated, to the Department of Higher Education, to be payable from the Higher Education Research Development Fund, for providing Arkansas Research Development Program Grants to Institutions of Higher Education by the Department of Higher Education for the fiscal year ending June 30, 2016, the following:

ITEM FISCAL YEAR NO. 2015-2016

(01)RESEARCH AND DEVELOPMENT PROGRAM GRANTS \$5,000,000

SECTION 9. APPROPRIATION - HEALTH EDUCATION GRANTS AND LOANS. There is hereby appropriated, to the Department of Higher Education, to be payable from the Higher Education Grants Fund Account, for payments of the contracts and loans with participating out-of-state institutions of higher learning in the fields of dentistry, optometry, osteopathy, veterinary medicine, chiropractic, and podiatry for the education of Arkansas citizens, by the Department of Higher Education for the fiscal year ending June 30, 2016, the following:

ITEM FISCAL YEAR NO. 2015-2016

- (01)CHIROPRACTIC AID \$260,000
- (02)DENTAL AID - GRANTS 2,133,900
- (03)OPTOMETRY AID - GRANTS 410,000
- (04)OSTEOPATHY AID 230,000
- (05)PODIATRY AID 130,400
- (06)VETERINARY AID 1,100,000
- (07)DENTAL AID - LOANS 987,370
- (08)OPTOMETRY AID - LOANS 140,000
- (09)VETERINARY MED. LOAN FORGIVENESS PROGRAM 250,000

TOTAL AMOUNT APPROPRIATED \$5,641,670

SECTION 10. APPROPRIATION - CASH. There is hereby appropriated, to the Department of Higher Education, to be payable from the cash fund deposited in the State Treasury as determined by the Chief Fiscal Officer of the State, for operating expenses of the Department of Higher Education for the fiscal year ending June 30, 2016, the following:

ITEM FISCAL YEAR NO. 2015-2016

- (01) MAINT. & GEN. OPERATION
 - (A) OPER. EXPENSE \$878,070
 - (B) CONF. & TRAVEL 60,620
 - (C) PROF. FEES 551,310
 - (D) CAP. OUTLAY 100,000
 - (E) DATA PROC. 0
 - (02) SCHOLARSHIPS 100,000
 - (03) REFUNDS/REIMBURSEMENTS 5,000
- TOTAL AMOUNT APPROPRIATED \$1,695,000

SECTION 11. APPROPRIATION - TANF PROGRAM - FEDERAL. There is hereby appropriated, to the Department of Higher Education, to be payable from the federal funds as designated by the Chief Fiscal Officer of the State, for personal services and operating expenses of the Department of Higher Education - TANF Program - Federal for the fiscal year ending June 30, 2016, the following:

ITEM FISCAL YEAR NO. 2015-2016

- (01)REGULAR SALARIES \$220,337
- (02)PERSONAL SERVICES MATCHING 64,630
- (03)MAINT. & GEN. OPERATION
 - (A)OPER. EXPENSE 56,698

- (B) CONF. & TRAVEL 0
- (C) PROF. FEES 14,784
- (D) CAP. OUTLAY 0
- (E) DATA PROC. 0
- (04) SELF SUFFICIENCY/JOB TRAINING GRANTS 6,793,551
- TOTAL AMOUNT APPROPRIATED \$7,150,000

SECTION 12. APPROPRIATION - COLLEGE ACCESS CHALLENGE GRANT. There is hereby appropriated, to the Department of Higher Education, to be payable from the federal funds as designated by the Chief Fiscal Officer of the State, for operating expenses of the Department of Higher Education - College Access Challenge Grant Program - Federal for the fiscal year ending June 30, 2016, the following:

ITEM FISCAL YEAR NO. 2015-2016

- (01) MAINT. & GEN. OPERATION
 - (A) OPER. EXPENSE \$1,215,000
 - (B) CONF. & TRAVEL 14,000
 - (C) PROF. FEES 741,000
 - (D) CAP. OUTLAY 30,000
 - (E) DATA PROC. 0
- TOTAL AMOUNT APPROPRIATED \$2,000,000

SECTION 13. APPROPRIATION - WEB BASED APPLICATIONS. There is hereby appropriated, to the Department of Higher Education, to be payable from the Higher Education Grants Fund Account, for personal services and operating expenses associated with web based applications of the Department of Higher Education for the fiscal year ending June 30, 2016, the following:

ITEM FISCAL YEAR NO. 2015-2016

- (01) WEB BASED APPLICATIONS PERSONAL SERVICES AND OPERATING EXPENSES \$1,000,000

SECTION 14. APPROPRIATION - SCHOLARSHIP ADMINISTRATION. There is hereby appropriated, to the Department of Higher Education, to be payable from the Higher Education Grants Fund Account, for personal services and operating expenses of the Department of Higher Education - Scholarship Administration for the fiscal year ending June 30, 2016, the following:

ITEM FISCAL YEAR NO. 2015-2016

- (01) REGULAR SALARIES \$330,320
- (02) EXTRA HELP 30,000
- (03) PERSONAL SERVICES MATCHING 106,776
- (04) MAINT. & GEN. OPERATION
 - (A) OPER. EXPENSE 130,000
 - (B) CONF. & TRAVEL 0
 - (C) PROF. FEES 250,000
 - (D) CAP. OUTLAY 35,000
 - (E) DATA PROC. 0

TOTAL AMOUNT APPROPRIATED \$882,096

SECTION 15. APPROPRIATION - COMPLETE COLLEGE AMERICA GRANT PROGRAM. There is hereby appropriated, to the Department of Higher Education, to be 30 payable from the cash fund deposited in the State Treasury as determined by 31 the Chief Fiscal Officer of the State, for operating expenses of the Department of Higher Education - Complete College America Grant Program for the fiscal year ending June 30, 2016, the following:

ITEM FISCAL YEAR NO. 2015-2016

(01) MAINT. & GEN. OPERATION

(A) OPER. EXPENSE \$100,000

(B) CONF. & TRAVEL 0

(C) PROF. FEES 0

(D) CAP. OUTLAY 0

(E) DATA PROC. 0

TOTAL AMOUNT APPROPRIATED \$100,000

SECTION 16. APPROPRIATION - OUTCOME CENTERED FUNDING AWARDS. There is hereby appropriated, to the Department of Higher Education, to be payable from the Department of Higher Education Fund Account, for distribution of Outcome-Centered Funding Awards to Institutions of Higher Education by the Department of Higher Education for the fiscal year ending June 30, 2016, the following:

ITEM FISCAL YEAR NO. 2015-2016

(01) OUTCOME-CENTERED AWARDS- UNIVERSITIES \$40,320,284

(02) OUTCOME-CENTERED AWARDS - COLLEGES 14,192,418

TOTAL AMOUNT APPROPRIATED \$54,512,702

SECTION 17. APPROPRIATION - WORKFORCE INITIATIVE ACT OF 2015. There is hereby appropriated, to the Department of Higher Education, to be payable from the Workforce Initiative Act of 2015 Fund, for workforce education grants, administrative, and operating expenses of the Department of Higher Education - Workforce Initiative Act of 2015 for the fiscal year ending June 30, 2016, the following:

ITEM FISCAL YEAR NO. 2015-2016

(01) WORKFORCE INITIATIVE ACT OF 2015

EXPENSES \$2,000,000

SECTION 18. APPROPRIATION. There is hereby appropriated, to the Department of Higher Education, to be payable from the General Improvement Fund or its successor fund or fund accounts, the following: (A) for fund transfer to the Workforce Initiative Act of 2015 Fund, in a sum not to exceed.....\$2,000,000.

SECTION 19. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. EMERGENCY GRANTS & EXTRA HELP POOL. An Institution of higher education that suffers an emergency/disaster event resulting in all or a significant portion of campus operations being interrupted, may request disaster assistance through the Arkansas

Department of Higher Education. Upon the declaration of an emergency by the Governor, the institution may request, subject to the recommendation of the Director of the Department of Higher Education and 12 approval of the Governor, a grant from the Disaster Relief Fund to assist in 13 returning that campus to operation and/or to a sister campus providing 14 services to the students from the affected campus. Certified law enforcement officers employed by an institution of higher education may be granted jurisdiction at the sister institution, upon agreement of both institutions. The Department of Higher Education is authorized a pool of 500 extra help positions for use in such emergency situations. These positions may be assigned to the campus suffering the disaster event or to a sister campus providing services to the students from the affected campus. The Governor may waive the 1,500 hour limit of ACA 6-63-314 on these assigned extra help pool positions. The provisions of this section shall be in effect only from July 1, 2014-2015 through June 30, 2015-2016.

SECTION 20. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. REALLOCATION OF RESOURCES FOR INSTITUTIONS OF HIGHER EDUCATION. Upon determination by the president or chancellor of an institution of higher education that a reallocation of resources for purposes of reorganization or consolidation of administrative functions within the institution is necessary for efficient and effective operations of the institution, the president or chancellor, with approval of the institution's board of trustees, may have the authority to transfer positions, appropriations and related funds between campuses, divisions, branches, and other budgetary units of the institution, after receiving prior approval of the Legislative Council or Joint Budget Committee. The transfers of positions, programs, or activities shall be used for those purposes for which the appropriations were approved by the General Assembly. The transfers, consolidations, or reorganizations which involve academic programs shall be reviewed by the Department of Higher Education prior to submission to the Legislative Council or Joint Budget Committee. Provided, however, that the institution shall be limited to submitting no more than two (2) individual transaction transfer requests during any fiscal year and shall be further limited to no more than five percent (5%) of the total General Revenue and Special Revenue appropriation, funding, positions specific to each institution, and no Tobacco Settlement funds or appropriations may be reallocated pursuant to this section. Determining the maximum number of employees and the maximum amount of appropriation and general revenue funding for institutions of higher education each fiscal year is the prerogative of the General Assembly. This is usually accomplished by delineating such maximums in the appropriation act(s) for institutions of higher education and the general revenue allocations authorized for each fund and fund account by amendment to the Revenue Stabilization law. Further, the General Assembly has determined that institutions of higher education may operate more efficiently if some flexibility is provided to institutions of higher education authorizing broad powers under this Section. Therefore, it is both necessary and appropriate that the General Assembly maintain oversight by requiring prior approval of the Legislative Council or Joint Budget Committee as provided by this section. The requirement of approval by the Legislative Council or Joint Budget Committee is not a severable part of this section. If the requirement of approval by the Legislative Council or Joint Budget Committee is ruled unconstitutional by a court of competent jurisdiction, this entire section is void. The provisions of this section shall be in effect only from July 1, 2014-2015 through June 30, 2015-2016.

SECTION 21. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. LOANS. In order to provide timely payments under financial aid appropriations made in this Act, the Chief Fiscal Officer of the State is authorized to provide loans from the Budget Stabilization Trust Fund to make available all funds attributable to the financial aid programs under the then current official revenue estimates. In the event of an unanticipated state revenue shortfall, any such loans remaining at the end of a fiscal year shall be repaid from revenues distributed in the first two months of the next fiscal year. Funds for appropriations made in this Act for purposes other than financial aid shall not be affected by the application of this provision. The provisions of this section shall be in effect only from July 1, 2014-2015 through June 30, 2015-2016.

SECTION 22. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS 11 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. WORK FORCE 2000 DEVELOPMENT FUND PROCEDURES. After the amounts to be made available to the various technical colleges have been determined as set out in Arkansas Code 26-51-205(d)(2)(A) and 26-51-205(d)(2)(B), such documents as may be necessary shall be processed so that funds may be transferred from the Work Force 2000 Development Fund to the State Treasury fund or fund account from which the technical college draws its general revenue support. Such funds as may be transferred shall not exceed 93.691% of the total funds available from the Work Force 2000 Development Fund during the fiscal year. In the event that a technical institute or comprehensive lifelong learning center which receives support from the Work Force 2000 Development Fund as determined by law transfers or merges into the Arkansas Technical College and Community College System for which Work Force 2000 Development Fund monies are determined by law, then the actual amount of support from the Work Force 2000 Development Fund in the preceding fiscal year for such educational institution shall be made available irrespective of any other provision of law which sets out maximum levels of support from such fund. The funds distributed under Arkansas Code 26-51-205(d)(2)(C) in excess of those amounts collected and distributed prior to June 30, 2014 shall be deposited into the Skills Development Fund to be used only for personal services, grants, operation, support, and improvement of occupational, vocational, technical, and workforce development programs by the Department of Career Education - Office of Skills Development. The distributions of funds under Arkansas Code 21-51-205(d)(2)(C) in excess of those amounts collected and distributed prior to June 30, 2014 shall not apply to proceeds allocated to schools, colleges and educational institutions under Arkansas Code 26-51-205(d)(2)(A) and 26-51-205(d)(2)(B). The provisions of this section shall be in effect only from July 1, 2014-2015 through June 30, 2015 2016.

SECTION 23. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. BUILDING MAINTENANCE FUND. After the sum of \$13,200,000 has been deposited into the Higher Education Building Maintenance Fund, any additional deposits are to be transferred to the Research Development Fund there to be used as provided by law. The provisions of this section shall be in effect only from July 1, 2014-2015 through June 30, 2015-2016.

SECTION 24. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. REFUND TO EXPENDITURES. Proceeds derived from the repayment of loans, grants, or scholarships funded by the Higher Education Grants Fund Account shall be deposited into the State Treasury fund from which it originated. The provisions of this section shall be in effect only from July 1, 2014-2015 through June 30, 2015-2016.

SECTION 25. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. NATIONAL GUARD TUITION INCENTIVE PROGRAM. In addition to any other provisions of law, any student who receives assistance from the appropriation made for the "National Guard Tuition Incentive Program" in this Act shall repay any loans and/or assistance if the student receives a discharge that is a less than Honorable Discharge. Priority for funding shall be given to students already receiving assistance from the National Guard Tuition Incentive Program. The provisions of this section shall be in effect only from July 1, 2014-2015 through June 30, 2015-2016.

SECTION 26. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. HEALTH EDUCATION GRANTS AND LOANS - PRIORITIES. The Arkansas Higher Education Coordinating Board, after consulting with the recognized associations of each of the applicable medical professions and other interested persons, shall determine the priorities for the applicable programs enumerated in the appropriation made for "Health Education Grants and Loans" in this Act. The Arkansas Department of Higher Education, if necessary, shall re-adjust the number of positions for entering students to be funded for each applicable program based upon the priorities determined by the board. The provisions of this section shall be in effect only from July 1, 2014-2015 through June 30, 2015-2016.

SECTION 27. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FINANCIAL AID PROGRAMS REPORTING. The Arkansas Department of Higher Education shall report by May 30 to the House and Senate Interim Committees on Education the budgeted allocation for each financial aid program funded through the Higher Education Grants Fund Account for the upcoming fiscal year and projections for the following year. The provisions of this section shall be in effect only from July 1, 2014-2015 through June 30, 2015-2016.

SECTION 28. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. AUDIT/REVIEW OF STATE SCHOLARSHIP FUNDS. Any post-secondary institution that receives state scholarship funds administered by the Arkansas Department of Higher Education shall be subject to audit/review of such funds by the Division of Legislative Audit, upon approval of the Legislative Joint Audit Committee. The provisions of this section shall be in effect only from July 1, 2014-2015 through June 30, 2015-2016.

SECTION 29. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. AUDIT DATA. All post-secondary institutions shall provide to the Arkansas Department of Higher Education a copy of the Integrated Post-Secondary Education Data System (IPEDS) data within three weeks following the IPEDS due date, which shall be subject to audit by the Arkansas Department of Higher Education. The provisions of this section shall be in effect only from July 1, 2014-2015 through June 30, 2015-2016.

SECTION 30. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUNDING FOR SALARY INCREASES. New funding through the Revenue Stabilization Act determined by the Arkansas Department of Higher Education to have been for salary increases for the fiscal year for Institutions of Higher Education shall be used exclusively for salary increases. New funding actually received for salary increases shall be spent exclusively for salary increases based upon the state general revenue portion of total unrestricted educational and general revenue. Funding received under this provision shall be used for no purpose other than to provide such salary increases. Any designated funds not used for salary increases shall be recouped at the end of each fiscal year and transferred to the General Revenue Allotment Reserve Fund. The provisions of this section shall be in effect only from July 1, 2014-2015 through June 30, 2015-2016.

SECTION 31. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. DHE PROGRAM COORDINATOR FUNDING. The Chief Fiscal Officer of the State shall transfer sufficient funding for the fiscal year from the Higher Education Grants Fund Account to the Department of Higher Education Fund Account in order to finance the personal services costs of a DHE Program Coordinator. The provisions of this section shall be in effect only from July 1, 2014-2015 through June 30, 2015-2016.

SECTION 32. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER PROVISION. Upon certification by the Director of the Department of Higher Education that transfers are needed to make maximum utilization of funds and appropriations provided for financial aid programs, and with the approval of the Chief Fiscal Officer of the State and a review by the Arkansas Legislative Council, funds and appropriations may be transferred between financial aid programs to more adequately align the appropriation with the number of eligible students. The provisions of this section shall be in effect only from July 1, 2014-2015 through June 30, 2015-2016.

SECTION 33. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER OF HIGHER EDUCATION GRANTS FUND APPROPRIATIONS - HEALTH EDUCATION GRANTS AND LOANS. Upon certification to and with the approval of the Chief Fiscal Officer of the State, surplus funds and appropriations may be transferred between the appropriations provided for "Health Education Grants and Loans" by this Act by the General Assembly for Dental Aid Grants and Loans, Optometry Aid,

Veterinary Aid, Podiatry Aid, Chiropractic Aid and Osteopathy Aid. The provisions of this section shall be in effect only from July 1, 2014-2015 through June 30, 2015-2016.

SECTION 34. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CONTINGENCY APPROPRIATIONS - TRANSFERS AND REPORTS.

(a) Upon approval by the Department of Higher Education and the Chief Fiscal Officer of the State, institutions of higher education may transfer appropriation from the cash contingency appropriation to any other appropriation made to the institution from cash funds including the establishment of commitment items, and may transfer appropriation from the contingency appropriation made payable from each institution's State Treasury Fund to the state operations appropriation made payable from each institution's State Treasury Fund including the establishment of commitment items, and may transfer appropriation from the contingency appropriation made payable from the Tobacco Settlement Program Fund Accounts to any other appropriation made to the institution from Tobacco Settlement Program Fund Accounts including the establishment of commitment items. (b) Contingency appropriation transfers shall only establish and supplement commitment items that were recommended by the Higher Education Coordinating Board in the budget manuals presented to the Legislative Council and Joint Budget Committee. (c) The Department of Higher Education shall report contingency appropriation transfers and the establishment of any commitment items authorized by this Section to the Legislative Council or Joint Budget Committee for review during its July meeting. The report shall include, by institution, the establishment of, and the amounts transferred to, each commitment item, the reasons therefor and the source of funds. Institutions shall submit contingency appropriation transfer and commitment item establishment requests authorized by this Section to the Department of Higher Education no later than July 1. Upon the failure of an institution to submit the required information by the July 1 deadline, the Department of Higher Education shall immediately notify by written notification the chairpersons of the Legislative Council or Joint Budget Committee. The provisions of this section shall be in effect only from July 1, 2015 through June 30, 2016.

SECTION 35. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. STUDENT UNDERGRADUATE RESEARCH FELLOWSHIP (SURF) PROGRAM. The focus of the Student Undergraduate Research Fellowship (SURF) Program is the continued development of undergraduate academic research efforts at Arkansas colleges and universities. The Arkansas Department of Higher Education shall adopt rules and regulations necessary for the proper administration of the Student Undergraduate Research Fellowship Program. Administrative functions and responsibilities may include, but not necessarily be limited to, the development of eligibility criteria, collection of applications, coordination of student evaluations, distribution of public notices, and funding of grants for academic research purposes. Staff of the Arkansas Department of Higher Education shall administer this program. The Arkansas Department of Higher Education shall be authorized to expense costs associated with the administration of the program, from funds made payable from the Higher Education Grants Fund Account for the Student Undergraduate Research Fellowship Program as authorized in Section 4 of this Act. The provisions of this section shall be in effect only from July 1, 2015 through June 30, 2016.

SECTION 36. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. COOPERATION AGREEMENTS. Any institution of Higher Education that has its main campus, satellite campus, or center located within a twenty five mile radius of any other main campus of an institution of higher education shall enter into a written agreement with that institution which must address duplication of services between the institutions. The provisions of this section shall be in effect only from July 1, 2014-2015 through June 30, 2015-2016.

SECTION 37. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. COST ALLOCATION. The Department of Higher Education may refund to the Higher Education Fund Account or the Higher Education Grants Fund Account such amounts determined by the Department to be reimbursements received from the Arkansas Lottery Commission for costs related to the administration of the Arkansas Academic Challenge Scholarship Program. The provisions of this section shall be in effect only from July 1, 2015 through June 30, 2016.

SECTION 38. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. APPROPRIATION TRANSFER PROCEDURES - AR GEOGRAPHICAL CRITICAL NEEDS MINORITY TEACHER SCHOLARSHIP PROGRAM. The Director of the Arkansas Department of Higher Education shall determine the amount available, up to \$200,000 per fiscal year, to fund the Arkansas Geographical Critical Needs Minority Teacher Scholarships and shall certify to the Chief Fiscal Officer of the State and the State Treasurer such amount as is required to be transferred from the Higher Education Grants Fund Account. Upon receiving such certification, the Chief Fiscal Officer of the State and the State Treasurer shall cause to be transferred the necessary funds and appropriation to the fund account of the University of Arkansas at Pine Bluff for implementation of this program. The University of Arkansas at Pine Bluff may use up to twenty percent (20%) of the funds and appropriation for administration of the program. The provisions of this section shall be in effect only from July 1, 2014-2015 through June 30, 2015-2016.

SECTION 39. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. HIGHER EDUCATION CENTRAL POOL POSITIONS. (a) Universities - (1) The Department of Higher Education shall establish and maintain a central pool of three hundred (300) positions to be used to establish additional positions when an institution does not have sufficient positions available to meet unanticipated enrollment growth, industry training demands, and its mandated responsibilities. (2) Central pool positions are to be used by the institutions if the personnel service needs exceed the number of positions authorized by the General Assembly and that were not anticipated at the time of the passage of the institution's operating appropriation act. (3) No position established under this section may exceed the salary rate of the highest maximum annual salary rate or the highest grade level position authorized by the General Assembly in the requesting institution's operating appropriation act. (4) The

institution shall provide justification to the Department of Higher Education for the need to allocate positions from the central pool. (5) Titles shall not be assigned to the institution from the central pool until specific positions are requested by the institution, recommended by the Department of Higher Education and approved by the Arkansas Legislative Council or the Joint Budget Committee. (6) If an institution requests any central pool position to be continued during the subsequent fiscal year, the position must be requested as a new position in the institution's subsequent fiscal year budget request. (b) Colleges - (1) The Department of Higher Education shall establish and maintain a central pool of two hundred fifty (250) positions to be used to establish additional positions when an institution does not have sufficient positions available to meet unanticipated enrollment growth, industry training demands, and its mandated responsibilities. (2) Central pool positions are to be used by the institutions if the personnel service needs exceed the number of positions authorized by the General Assembly and that were not anticipated at the time of the passage of the institution's operating appropriation act. (3) No position established under this section may exceed the salary rate of the highest maximum annual salary rate or the highest grade level position authorized by the General Assembly in the requesting institution's operating appropriation act. (4) The institution shall provide justification to the Department of Higher Education for the need to allocate positions from the central pool. (5) Titles shall not be assigned to the institution from the central pool until specific positions are requested by the institution, recommended by the Department of Higher Education and approved by the Arkansas Legislative Council or the Joint Budget Committee. (6) If an institution requests any central pool position to be continued during the subsequent fiscal year, the position must be requested as a new position in the institution's subsequent fiscal year budget request. (c) Determining the maximum number of employees and the maximum amount of appropriation and general revenue funding for institutions of higher education each fiscal year is the prerogative of the General Assembly. This is usually accomplished by delineating such maximums in the appropriation act(s) for institutions of higher education and the general revenue allocations authorized for each fund and fund account by amendment to the Revenue Stabilization law. Further, the General Assembly has determined that institutions of higher education may operate more efficiently if some flexibility is provided to institutions of higher education authorizing broad powers under this Section. Therefore, it is both necessary and appropriate that the General Assembly maintain oversight by requiring prior approval of the Legislative Council or Joint Budget Committee as provided by this section. The requirement of approval by the Legislative Council or Joint Budget Committee is not a severable part of this section. If the requirement of approval by the Legislative Council or Joint Budget Committee is ruled unconstitutional by a court of competent jurisdiction, this entire section is void. The provisions of this section shall be in effect only from July 1, 2014-2015 through June 30, 2015-2016.

SECTION 40. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. OUTCOME-CENTERED FUNDING AWARDS. Upon certification of the Director of the Department of Higher Education, the Chief Fiscal Officer of the State shall transfer to the Department of Higher Education Fund Account certified amounts based upon the outcome-centered funding policy of the Arkansas Higher Education Coordinating Board from the State Treasury funds of the Institutions of Higher Education. The Department of Higher Education will distribute funds from the Outcome-Centered Funding Awards Appropriation based upon the outcome-centered funding policy of the Arkansas Higher Education

Coordinating Board. The provisions of this section shall be in effect only from July 1, 2014-2015 through June 30, 2015-2016.

SECTION 41. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ADMINISTRATIVE FEES. The Department of Higher Education is authorized to recover non-refundable administrative fees related to the institutional certification and exemption process for out-of-state, non-public, and for-profit colleges and universities. These fees include a notification fee, an application processing fee, and travel expenses for the certification review teams. The provisions of this section shall be in effect only from July 1, 2014- 2015 through June 30, 2015-2016.

SECTION 42. SPECIAL LANGUAGE. Arkansas Code §6-61-228(d)(4)(B)(ii), concerning the funding formula model for universities, is amended to read as follows: (ii) The sum of the teaching salaries at the three (3) instructional levels plus a fringe benefits rate that will be determined by the department staff shall constitute the teaching salaries need of the university.

SECTION 43. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. NONTRADITIONAL STUDENT SCHOLARSHIPS AGGREGATE AMOUNT. Aggregate amounts of scholarships awarded to nontraditional students, under the provisions of the Arkansas Academic Challenge Scholarship Program - Part 2, ACA 6-85-201 et seq., for the 2015-16 fiscal year shall be limited to thirteen million dollars (\$13,000,000). The provisions of this section shall be in effect only from July 1, 2015 through June 30, 2016.

SECTION 44. 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 Procurement 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 45. LEGISLATIVE INTENT. It is the intent of the General Assembly that any funds disbursed under the authority of the appropriations contained in this act shall be in compliance with the stated reasons for which this act was adopted, as evidenced by the Agency Requests, Executive Recommendations and Legislative Recommendations contained in the budget manuals prepared by the Department of Finance and Administration, letters, or summarized oral testimony in the official minutes of the Arkansas Legislative Council or Joint Budget Committee which relate to its passage and adoption.

SECTION 46. EMERGENCY CLAUSE. It is found and determined by the General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a one (1) year period; that the effectiveness of this Act on July 1, 2015 is essential to the operation of the agency for which the appropriations in this Act are provided, and that in the event of an

extension of the legislative session, the delay in the effective date of this Act beyond July 1, 2015 could work irreparable harm upon the proper administration and provision of essential governmental programs. 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, 2015.