

Stricken language would be deleted from and underlined language would be added to present law.

State of Arkansas
90th General Assembly
Regular Session, 2015

A Bill

SENATE BILL 1038

By: Senator D. Johnson

For An Act To Be Entitled

AN ACT TO CLARIFY THAT ACCREDITATION IN ARKANSAS IS
DONE BY AN ACCREDITING AGENCY RECOGNIZED BY THE
UNITED STATES DEPARTMENT OF EDUCATION; AND FOR OTHER
PURPOSES.

Subtitle

TO CLARIFY THAT ACCREDITATION IN ARKANSAS
IS DONE BY AN ACCREDITING AGENCY
RECOGNIZED BY THE UNITED STATES
DEPARTMENT OF EDUCATION.

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

SECTION 1. Arkansas Code § 6-51-905(d)(2), concerning technical institutes, is amended to read as follows:

(2) Those degrees offered at a technical institute must be awarded by an Arkansas higher education institution accredited by ~~the Higher Learning Commission~~ an accrediting agency recognized by the federal Department of Education.

SECTION 2. Arkansas Code § 6-51-906(c)(3)(A), concerning comprehensive lifelong learning centers, is amended to read as follows:

(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~~ an accrediting agency recognized by the federal Department of Education.



SECTION 3. Arkansas Code § 6-51-907(d)(1), concerning expanded associate degree instruction, is amended to read as follows:

(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~~ an accrediting agency recognized by the federal Department of Education.

SECTION 4. Arkansas Code § 6-53-209 is amended to read as follows:
6-53-209. Interim accreditation and governance.

(a) The Arkansas Higher Education Coordinating Board ~~is hereby authorized to~~ may act as the legal entity, governing board, and receiver of all property for any institution not accredited by ~~the Higher Learning Commission~~ an accrediting agency recognized by the federal Department of Education and seeking merger or consolidation with an existing institution of higher education during the interim period when approval of institutional change from ~~the commission~~ an accrediting agency recognized by the federal Department of Education is being sought.

(b) Upon approval by ~~the commission~~ an accrediting agency recognized by the federal Department of Education, 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~~ may provide accreditation for a period of up to six (6) years to ~~any~~ an institution governed by the Arkansas Higher Education Coordinating Board.

(d)(1) ~~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.

(2) ~~Therefore, the~~ The State Board of Career Education ~~must~~ shall show cause why accreditation of ~~those~~ an institutions should not be continued and, ~~further, must~~ provide twelve (12) months' notice of any action to withdraw ~~its~~ accreditation of ~~those~~ an institutions.

(e) ~~Any~~ A postsecondary vocational-technical school other than those

listed in §§ 6-53-301 and 6-53-404 ~~which~~ that 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(g)(f), (h), and (i) pending approval of the merger or consolidation from the commission an accrediting agency recognized by the federal Department of Education.

(f) ~~Should any~~ If a consolidation plan ~~fail to be~~ is not approved by ~~the commission an accrediting agency recognized by the federal Department of Education, the provision of § 6-53-301(f) shall apply to the postsecondary vocational-technical school or technical college seeking merger or consolidation with an institution of higher education.~~

SECTION 5. Arkansas Code § 6-53-401 is amended to read as follows:

6-53-401. Coordination with institutional boards of trustees.

~~All future mergers or consolidations~~ A merger or consolidation of a state-supported postsecondary vocational-technical ~~institutions~~ institution with an existing community ~~colleges~~ college, with a branch ~~campuses~~ campus of a four-year ~~institutions~~ institution, or with a four-year ~~institutions~~ institution, ~~shall be~~ is subject to the approval of the board of trustees of the institution, the Arkansas Higher Education Coordinating Board, and the ~~Higher Learning Commission~~ accrediting agency recognized by the federal Department of Education.

SECTION 6. Arkansas Code § 6-53-402(b), concerning technical colleges, is amended to read as follows:

(b) Upon approval by the board and ~~the Higher Learning Commission~~ an accrediting agency recognized by the federal Department of Education and upon assignment of a service area for the institution, the two-year branch campus shall be known as a technical college.

SECTION 7. Arkansas Code § 6-53-402(g)(1), concerning technical colleges, is amended to read as follows:

(g)(1) ~~Any~~ A technical college established under this section ~~which~~ that fails to achieve higher education institutional accreditation from ~~the commission~~ an accrediting agency recognized by the federal Department of

Education within eight (8) years following the date of conversion shall be abolished by the state board.

SECTION 8. Arkansas Code § 6-53-402(h)(2), concerning technical colleges, is amended to read as follows:

(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~~ an accrediting agency recognized by the federal Department of Education, may merge the state-supported postsecondary institution with the community college.

SECTION 9. Arkansas Code § 6-53-405(a), concerning consolidations, is amended to read as follows:

(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~~ an accrediting agency recognized by the federal Department of Education ~~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~~ an accrediting agency recognized by the federal Department of Education, 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.

SECTION 10. Arkansas Code § 6-54-104(b), concerning administration of the College of the Ouachitas, is amended to read as follows:

(b) The technical college shall work to achieve higher education institutional accreditation from ~~the Higher Learning Commission~~ an accrediting agency recognized by the federal Department of Education.

SECTION 11. Arkansas Code § 6-61-127(b), concerning the Arkansas Higher Education Performance Reporting System, is amended to read as follows:

“(b) To the extent possible, the Arkansas Higher Education Performance Reporting System will utilize information from ~~the North Central Association of Colleges and Schools~~ an accrediting agency recognized by the federal Department of Education’s assessment outcomes measures which are required for reaffirmation of accreditation, federal Integrated Postsecondary Education Data System report data, and data collected annually through the ~~department’s~~ Department of Higher Education’s Statewide Information System.

SECTION 12. Arkansas Code § 6-82-1702(1)(A)(ii), concerning the Higher Education Opportunities Grant Program, is amended to read as follows:

(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~~ an accrediting agency recognized by the federal Department of Education.

SECTION 13. Arkansas Code § 12-62-602(1), concerning the Arkansas National Guard Tuition Incentive Program, is amended to read as follows:

(1) “Approved institution” means an Arkansas public or private postsecondary institution that is accredited or has achieved candidacy status from ~~the Higher Learning Commission of the North Central Association of Colleges and Schools~~ an accrediting agency recognized by the federal Department of Education or is a technical institute or comprehensive lifelong learning center under the supervision of the Department of Career Education;

SECTION 14. Arkansas Code § 27-24-1001(2), concerning special license plates, is amended to read as follows:

(2) Authorize a special license plate for the Arkansas School for the Deaf, which is accredited by ~~the Higher Learning Commission of the North Central Association of Colleges and Schools~~ an accrediting agency recognized by the federal Department of Education and has students up to twenty-one (21) years of age.

SECTION 15. Arkansas Code § 27-24-1002(3) and (4), concerning special license plates, are amended to read as follows:

(3) Is accredited by ~~the Higher Learning Commission of the North~~

~~Central Association of Colleges and Schools~~ an accrediting agency recognized by the federal Department of Education;

(4) Certifies to the Department of Higher Education that its students are accepted for transfer at institutions accredited by ~~the commission~~ an accrediting agency recognized by the federal Department of Education; and

SECTION 16. Arkansas Code § 27-24-1102(3) and (4), concerning special license plates, are amended to read as follows:

(3) Is accredited by ~~the Higher Learning Commission of the North Central Association of Colleges and Schools~~ an accrediting agency recognized by the federal Department of Education;

(4) 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~~ an accrediting agency recognized by the federal Department of Education; and