

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

State of Arkansas
94th General Assembly
Regular Session, 2023

A Bill

HOUSE BILL 1428

By: Representatives C. Cooper, McAlindon, Haak, Long

By: Senator M. McKee

For An Act To Be Entitled

AN ACT TO CREATE THE EQUAL ACCESS TO COLLEGE AND
CAREER READINESS ASSESSMENTS ACT; AND FOR OTHER
PURPOSES.

Subtitle

TO CREATE THE EQUAL ACCESS TO COLLEGE AND
CAREER READINESS ASSESSMENTS ACT.

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

SECTION 1. Arkansas Code Title 6, Chapter 15, is amended to add an
additional subchapter to read as follows:

Subchapter 32 – Equal Access to College and Career Readiness Assessments Act

6-15-3201. Title.

This subchapter shall be known and may be cited as the "Equal Access to
College and Career Readiness Assessments Act".

6-15-3202. Legislative findings.

The General Assembly finds that:

(1) Access to postsecondary education can significantly impact a
student's personal and professional life as an adult;

(2) College or career readiness assessments play a vital role in
determining a student's academic eligibility for admission to postsecondary
institutions;

(3) College or career readiness assessments often are used to



determine academic eligibility for scholarships and financial aid resources at postsecondary institutions;

(4) The State of Arkansas uses college or career readiness assessments to determine academic eligibility for many of its publicly funded scholarships;

(5) Scholarship eligibility may play an important role in determining whether or not a student is able to afford postsecondary education;

(6) Public schools in Arkansas often serve as test sites for the administration of college or career readiness assessments outside of normal school hours on specific dates throughout the year;

(7) Registration for college or career readiness assessments often is open to students from the community regardless of whether or not the students are enrolled in that specific school;

(8) Not all students in Arkansas are enrolled in a public school that serves as a test site for a college or career readiness assessment; and

(9) Arkansas law should clarify that students may access college or career readiness assessments regardless of whether or not they are enrolled at the public school or in the school district where the test is administered.

6-15-3203. Definitions.

As used in this subchapter:

(1) "Advanced Placement test" means a test offered by the College Board for advanced placement courses;

(2)(A) "College and career readiness assessment" means:

(i) A nationally recognized norm-referenced test or assessment administered outside of ordinary class times or outside the scope of the regular curriculum of a public school; or

(ii) An Advanced Placement test.

(B) "College and career readiness assessment" includes without limitation:

(i) The ACT test;

(ii) The SAT;

(iii) The Preliminary Scholastic Aptitude Test;

(iv) The National Merit Scholarship Qualifying Test;

and

(v) Other assessments commonly used for college admission, college scholarships, or financial aid to attend college.

(C) "College and career readiness assessment" does not include a:

(i) Norm-referenced test or assessment administered in accordance with state or federal law for the purpose of gauging the academic proficiency or performance of a public school student or a public school; or

(ii) Test administered during the course of ordinary class time; and

(3) "Test site" means the location where a college and career readiness assessment is provided, proctored, or otherwise administered.

6-15-3204. Equal access to college and career readiness assessments at public schools.

(a) To ensure equal access to college and career readiness assessments, a public school serving as a test site shall not:

(1) Impede, obstruct, or otherwise prevent a student from registering for or accessing a college or career readiness assessment based on the student's enrollment status at the public school or in the public school district;

(2) Impose additional fees or requirements based on a student's enrollment status; or

(3) Deny a student financial assistance for purposes of paying for or reducing the costs of the college or career readiness assessment based on the student's enrollment status.

(b) As approved or recommended by the organization responsible for the administration of a college and career readiness assessment, a public school serving as a test site shall provide appropriate accommodations for a student with one (1) or more verifiable physical disabilities or learning disabilities regardless of the student's enrollment status at the public school or in the public school district.