

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

State of Arkansas
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A Bill

HOUSE BILL 1512

By: Representatives M. Shepherd, *Evans, Beaty Jr., Brooks, Eubanks, Wardlaw, Barker, K. Brown, M. Brown, John Carr, Cavanaugh, Crawford, Gramlich, Hawk, McAlindon, McClure, S. Meeks, Nazarenko, Rose, Torres, Wing, Achor, Beck, Eaves, Unger, Andrews*
By: Senator J. Dismang

For An Act To Be Entitled

AN ACT TO CREATE THE ARKANSAS ACCESS ACT; TO AMEND
VARIOUS PROVISIONS OF THE ARKANSAS CODE AS THEY
RELATE TO EDUCATION IN THE STATE OF ARKANSAS; AND FOR
OTHER PURPOSES.

Subtitle

TO CREATE THE ARKANSAS ACCESS ACT; AND
TO AMEND VARIOUS PROVISIONS OF THE
ARKANSAS CODE AS THEY RELATE TO
EDUCATION IN THE STATE OF ARKANSAS.

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

SECTION 1. DO NOT CODIFY. Title.

This act shall be known and may be cited as the "Arkansas ACCESS Act".

SECTION 2. Arkansas Code § 6-1-404(a), concerning the membership of the School Leadership Coordinating Council, is amended to read as follows:

(a) The School Leadership Coordinating Council consists of ~~seventeen~~
~~(17)~~ the following members ~~as follows~~:

~~(1) The Chair of the Arkansas Association of Colleges for
Teacher Education Council of Deans;~~

~~(2) The Commissioner of Elementary and Secondary Education;~~

~~(3) The Director of the Arkansas Leadership Academy;~~

~~(4)~~ (2) The Commissioner of the Division of Higher Education;



~~(5)~~(3) The Director of the Division of Career and Technical Education;

~~(6) The Executive Director of the Arkansas Association of Educational Administrators;~~

~~(7) The Executive Director of the Arkansas Education Association;~~

~~(8) The Executive Director of the Arkansas School Boards Association;~~

~~(9) The Executive Director of the Arkansas Association for Supervision and Curriculum Development;~~

~~(10) The Executive Director of the Arkansas Rural Ed Association;~~

~~(11) A representative from the Arkansas Professors of Educational Administration;~~

~~(12) A representative from the Arkansas Center for Executive Leadership;~~

~~(13) A representative from an education service cooperative;~~

~~(14) A representative from the Arkansas Public School Resource Center, Inc.;~~

~~(15) A representative from the Arkansas State Teachers Association;~~

~~(16)~~(4) The Chair of the Senate Committee on Education or the chair's designee; ~~and~~

~~(17)~~(5) The Chair of the House Committee on Education or the chair's designee; ~~and~~

(6) Other stakeholders as deemed necessary by the members designated under subdivisions (a)(1)-(5) of this section.

SECTION 3. Arkansas Code § 6-1-404(d), concerning meetings of the School Leadership Coordinating Council, is amended to read as follows:

(d)(1) The council shall meet at the times and places that the Chair of the School Leadership Coordinating Council deems necessary but no less than four (4) times per year.

(2) ~~Seven~~ ~~(7)~~ A majority of the members of the council shall constitute a quorum for the purpose of transacting business.

(3) All actions of the council are by quorum.

SECTION 4. Arkansas Code Title 6, Chapter 5, Subchapter 11 is repealed.

~~Subchapter 11—Council on Postsecondary Education and Career Readiness~~

~~6-5-1101. Legislative intent.~~

~~The General Assembly finds that:~~

~~(1) Public schools should help all students:~~

~~(A) Have the reading, writing, and mathematics skills needed to succeed in all first-year coursework in associate and baccalaureate degree programs in non-mathematics-based majors; and~~

~~(B) Be ready for as many career options as possible by having a base level of employability; and~~

~~(2) The development of college and career readiness standards should be undertaken as an integrative process among:~~

~~(A) The General Assembly;~~

~~(B) State agencies that regulate and support the public educational systems of the state;~~

~~(C) Kindergarten, elementary, secondary, and postsecondary educational institutions; and~~

~~(D) The public.~~

~~6-5-1102. Council on Postsecondary Education and Career Readiness established—Membership—Meetings.~~

~~(a) This subchapter establishes the Council on Postsecondary Education and Career Readiness to facilitate the collaboration of kindergarten, elementary, secondary, and postsecondary educational institutions in Arkansas in developing college and career readiness standards that align school curriculum and graduation standards with postsecondary education requirements and business community expectations for employability.~~

~~(b) The council shall consist of eleven (11) members as follows:~~

~~(1) The Commissioner of Elementary and Secondary Education or his or her designee;~~

~~(2) The Commissioner of the Division of Higher Education or his or her designee;~~

~~(3) The Director of the Division of Career and Technical Education or his or her designee;~~

~~(4) The Director of the Arkansas Economic Development Commission or his or her designee;~~

~~(5) The Director of the Division of Workforce Services or his or her designee;~~

~~(6) A president or chancellor of an Arkansas four-year institution of higher education or his or her designee, appointed annually by the Commissioner of the Division of Higher Education;~~

~~(7) The Executive Director of the Arkansas Association of Educational Administrators or his or her designee;~~

~~(8) The Executive Director of Arkansas Community Colleges or his or her designee;~~

~~(9) The Executive Director of the Arkansas Education Association or his or her designee;~~

~~(10) The Executive Director of the Arkansas School Boards Association or his or her designee; and~~

~~(11) The President of the Arkansas State Chamber of Commerce and the Associated Industries of Arkansas or his or her designee.~~

~~(c)(1) The Commissioner of Elementary and Secondary Education or his or her designee shall call the first meeting of the council and serve as chair for the first meeting.~~

~~(2) The first meeting shall occur within thirty (30) days of the effective date of this subchapter.~~

~~(d) At the first meeting of the council and annually thereafter, the voting members of the council shall elect one (1) member to serve as chair for one (1) year.~~

~~(e)(1) All members are voting members except the chair, who may vote only to break a tie vote.~~

~~(2) A majority of the members shall constitute a quorum for the transaction of business.~~

~~(f) The council shall meet at least three (3) times in a calendar year.~~

~~(g) The Department of Education shall provide meeting space and staff for the council.~~

~~(h) Council members shall serve without pay and shall not receive expense reimbursement except from the agency or institution employing the member.~~

~~6-5-1103. Powers and duties.~~~~(a) The Council on Postsecondary Education and Career Readiness shall:~~~~(1) Develop a unified strategy to:~~~~(A) Reduce remediation rates among high school graduates entering postsecondary education by at least fifty percent (50%) by the year 2020; and~~~~(B) Increase postsecondary graduation and completion rates;~~~~(2)(A) Support college and career readiness standards that:~~~~(i) Require higher performance levels than those currently required for high school graduation; and~~~~(ii) Promote accelerated learning opportunities, including without limitation Advanced Placement courses, concurrent credit opportunities, and other accelerated opportunities with college or vocational-technical school assistance to ensure that all students have the skills to be successful in either employment or postsecondary education.~~~~(B) College and career readiness standards shall be implemented with the understanding that until July 1, 2022, interim high school graduation standards may be used until the high school graduation standards adopted by the State Board of Education are equal to the college and career readiness standards;~~~~(3) Develop a successful transition to work matrix that schools and students may use to help students develop employment skills;~~~~(4) Develop guidelines for secondary school intervention programs and transitional courses;~~~~(5) Develop guidelines for professional development for teachers of transitional courses and opportunities for collaboration among high school, vocational-technical school, and college faculty to ensure that transitional courses target gaps in students' college and career readiness skills; and~~~~(6) Provide the reports required under this subchapter.~~~~(b)(1) The council shall establish working groups of its members, or staff of the agencies or institutions employing the members, to direct the planning process and strategic implementation of its plans.~~~~(2) The working groups shall:~~

~~(A) Develop goals and action plans;~~
~~(B) Identify resources; and~~
~~(C) Determine expected outcomes to measure for each strategy promoting college and career readiness and postsecondary completion.~~

~~6-5-1104. Reporting requirements.~~

~~(a) By June 30, 2014, the Council on Postsecondary Education and Career Readiness shall:~~

~~(1) Develop a written plan to reduce remediation rates and increase postsecondary graduation rates, including without limitation:~~

- ~~(A) Annual goals;~~
- ~~(B) Action strategies;~~
- ~~(C) Assigned responsibilities for implementing strategies;~~
- ~~(D) Timelines; and~~
- ~~(E) Reporting mechanisms;~~

~~(2) Provide the written plan to:~~

~~(A) The House Committee on Education and the Senate Committee on Education;~~

~~(B) The board of directors of each school district and open-enrollment charter school in this state; and~~

~~(C) The governing board of each state-supported institution of higher education in this state; and~~

~~(3) Encourage each school district board of directors and the governing board of each state-supported institution of higher education in the state to participate in the council's plan and to work collaboratively to reduce the remediation rates and further postsecondary graduation and completion rates.~~

~~(b) By June 30, 2015, and annually thereafter, the council shall report to the House Committee on Education and the Senate Committee on Education:~~

~~(1) The progress of the council's work for the year; and~~

~~(2) Its recommendations, which may include without limitation proposals for legislative action.~~

SECTION 5. Arkansas Code Title 6, Chapter 5, Subchapter 12 is amended to read as follows:

Subchapter 12 – ~~Advanced Placement Training and Incentive Program~~ Accelerated Learning

6-5-1201. ~~Established Definition.~~

~~There is established the Advanced Placement Training and Incentive Program.~~

As used in this subchapter, “accelerated learning” means an organized method of learning that enables a student to meet individual academic goals and graduation requirements while pursuing higher levels of skill development, including without limitation the following coursework:

- (1) A College Board pre-Advanced Placement and Advanced Placement course;
- (2) An International Baccalaureate Diploma Programme course;
- (3) A Cambridge Advanced International Certificate of Education course;
- (4) A concurrent credit course; and
- (5) A substantively similar course or program approved by the Division of Elementary and Secondary Education.

6-5-1202. Purpose of ~~Advanced Placement Training and Incentive Program~~ accelerated learning – Grant funding.

(a) The purpose of ~~the Advanced Placement Training and Incentive Program~~ accelerated learning is to:

- (1) Prepare more students for:
 - (A) Success in higher education;
 - (B) Postsecondary training; and
 - (C) ~~Careers in science, technology, engineering, and mathematics~~ High-wage, high-demand careers;

(2) Increase the number of students who graduate from institutions of higher education; and

(3) Support and enhance ~~Advanced Placement~~ accelerated learning initiatives already operating in the state.

(b)(1) The Division of Elementary and Secondary Education shall provide grant funding to organizations that implement measures to achieve the goals of ~~the Advanced Placement Training and Incentive Program~~ accelerated learning as determined by the division.

(2) ~~An organization that receives grant funding to implement the Advanced Placement Training and Incentive Program under this subchapter shall:~~

~~(A) Be affiliated with the National Math and Science Initiative; and~~

~~(B) Have demonstrated success with an Advanced Placement Training and Incentive Program.~~

~~(3) An organization that receives grant funding to provide the Advanced Placement Training and Incentive Program accelerated learning may without limitation:~~

~~(A) Develop public-private partnerships to advance math and science learning opportunities;~~

~~(B) Generate revenue from public or private sector entities to support other opportunities; ~~or~~ and~~

~~(C) Accept grants, donations, gifts, or bequests.~~

~~(c) Grant funding provided by the division to an organization under this subchapter shall be used to:~~

~~(1) Support and enhance the Advanced Placement Training and Incentive Program accelerated learning;~~

~~(2) Pay for personal services and operating expenses required to carry out the Advanced Placement Training and Incentive Program accelerated learning; and~~

~~(3) Pay for technology, materials, assessments, and other resources used in the Advanced Placement Training and Incentive Program accelerated learning.~~

6-5-1203. Components and goals of ~~Advanced Placement Training and Incentive Program~~ accelerated learning.

~~The Advanced Placement Training and Incentive Program~~ Accelerated learning shall:

~~(1) Provide advanced placement accelerated learning content directors to work, mentor, and provide resources to advanced placement and pre-advanced placement accelerated learning teachers in the areas of:~~

~~(A) Mathematics;~~

~~(B) Science; and~~

~~(C) English;~~

(2) Provide nationally recognized professional development for ~~advanced placement and pre-advanced placement~~ accelerated learning teachers that will enhance the knowledge and pedagogical skills of the teachers; and

(3) Develop and provide materials and resources for ~~advanced placement and pre-advanced placement~~ accelerated learning teachers.

(b) The overall goal of the ~~Advanced Placement Training and Incentive Program~~ accelerated learning is to:

(1) Increase the number of students enrolled in ~~Advanced Placement~~ accelerated learning mathematics, science, and English;

(2) ~~Increase the number of students who score three (3) or more on Advanced Placement exams;~~

(3) ~~Reduce the participation gaps and performance gaps in Advanced Placement classes between African American, Hispanic, and Caucasian students;~~

(4) ~~Help public high schools~~ Ensure school districts develop strong and successful ~~Advanced Placement programs~~ accelerated learning for public high schools;

(5)(3) Enhance and augment ~~Advanced Placement~~ accelerated learning policies and initiatives in Arkansas;

(6)(4) Provide the ~~Advanced Placement Training and Incentive Program~~ accelerated learning in every public high school that elects to participate and strengthen its ~~Advanced Placement program~~ accelerated learning; and

(7) (5) Increase the number of students prepared to enter science, technology, engineering, and mathematics fields in higher education or related training and occupations.

6-5-1204. Participation in ~~Advanced Placement Training and Incentive Program~~ accelerated learning.

(a) An organization that receives grant funding to provide the ~~Advanced Placement Training and Incentive Program~~ accelerated learning shall publish a list of program fees on or before June 1 each year.

(b) A public high school is eligible to participate in the ~~Advanced Placement Training and Incentive Program~~ accelerated learning.

(c)(1) A public high school that chooses to participate in the ~~Advanced Placement Training and Incentive Program~~ school's accelerated

learning shall pay a participation and the required service fee determined by the organization.

~~(2) A public high school may choose either to participate fully in the Advanced Placement Training and Incentive Program or to participate on a limited basis, in which case the public high school shall pay a fee for each service the public high school elects to use.~~

6-5-1205. Funding for accelerated learning.

(a) Contingent upon legislative appropriations and based on criteria established by the Division of Elementary and Secondary Education, a school that is offering accelerated learning may be awarded a one-time equipment and instructional materials grant for providing an accelerated learning course.

(b) Contingent upon legislative appropriation and the availability of funding, the state may pay in full or on a pro rata basis the cost of the accelerated learning test fees.

(c) The State Board of Education may promulgate rules to implement this subchapter.

SECTION 6. Arkansas Code § 6-13-629(a)(3)-(5), concerning the training and instruction regarding interpretation of audit reports that school board of directors members must receive, is amended to read as follows:

(3)(A) The training and instruction required under this section shall include:

(i) Topics relevant to school laws and school operations;

(ii) The powers, duties, and responsibilities of the members of ~~the~~ a board of directors, including without limitation:

(a) Legal requirements, including without limitation:

(1) The items listed or required by the Legislative Joint Auditing Committee under § 6-1-101; and

(2) Other financial laws, rules, or federal regulations designated by the Division of Elementary and Secondary Education;

(b) Role differentiation;

(c) Financial management, including without

limitation how to read and interpret an audit report; and

(d) Improving student achievement; and

(iii) Information regarding school safety and student discipline.

(B) The training or instruction on how to read and interpret an audit report required under subdivision (a)(3)(A)(ii)(c) of this section shall be conducted:

(i) By a person who:

(a) Is licensed to practice accounting by the Arkansas State Board of Public Accountancy;

(b) Has prior experience in conducting a school district financial audit;

(c) Is not an employee of Arkansas Legislative Audit unless the training or instruction is conducted for the boards of directors of multiple school districts; and

(d) Is not the person conducting the annual audit or other financial audit of the school district unless the training or instruction is presented in a large group setting sponsored by a statewide or regional organization that is attended by multiple school districts;

(ii) Under the consultation or supervision of an individual who qualifies under subdivision (a)(3)(B)(i) of this section as part of a program that is provided:

(a) By an institution of higher education located in Arkansas; or

(b) From instruction sponsored or approved by the Department of Education; ~~or~~

~~(c) By an in-service training conducted by or through the Arkansas School Boards Association; and~~

(iii) By electronic means or in person, or both.

(4) Hours of training and instruction obtained in excess of the minimum requirements each year may accumulate and be carried forward from year to year.

(5) This instruction may be received from an institution of higher education in this state, or from instruction sponsored or approved by the ~~Department of Education, or by an in-service training program conducted by or through the Arkansas School Boards Association~~ department.

SECTION 7. Arkansas Code § 6-13-808 is repealed.

~~6-13-808. The Arkansas Traveling Teacher Program.~~

~~(a) The Arkansas Traveling Teacher Program is hereby established and shall be administered by the Division of Elementary and Secondary Education with the assistance of public school districts and education service cooperatives.~~

~~(b)(1) Pursuant to the provisions of this section, and to the extent sufficient funding is available, the following persons and public school districts may enter into an agreement to provide traveling teacher services for one (1) or more receiving school districts for one (1) or more courses required by the Standards for Accreditation of Arkansas Public Schools and School Districts and any Advanced Placement courses required by § 6-16-1204:~~

~~(A) A traveling teacher who is appropriately licensed in Arkansas as a teacher and employed on a full-time equivalent basis by a host school district;~~

~~(B) A host school district that is an Arkansas public school district with a student population of eight thousand (8,000) students or fewer and that desires to provide traveling teacher services to a receiving school district; and~~

~~(C) A receiving school district that is a public school district other than the host school district and that desires to receive traveling teacher services.~~

~~(2) The parties shall enter into a written agreement, in the form established by the division, that shall include without limitation the following:~~

~~(A) That the traveling teacher is to provide professional teaching services to the receiving school district for one (1) or more required courses;~~

~~(B) The amount of the bonus to be provided to the traveling teacher under subdivision (c)(1)(A) of this section;~~

~~(C) For each course to be taught under the agreement:~~

~~(i) A description of the course;~~

~~(ii) The time and day for teaching each course; and~~

~~(iii) The exact location where the course will be taught;~~

~~(D)(i) Whether the agreement is for a school semester or a school year.~~

~~(ii) No agreement shall be for a time period longer than a school year or shorter than a school semester;~~

~~(E)(i) That the receiving school district will reimburse the host school district for the time the traveling teacher is not working in the host school district.~~

~~(ii) The reimbursement shall be the receiving school district's pro rata share of the traveling teacher's time based on the hourly rate of the traveling teacher's contract with the host school district;~~

~~(F) That at all times during the period of the agreement, the traveling teacher is an employee of the host school district and is subject to the personnel policies and contractual obligations of the host school district; and~~

~~(G)(i) That sufficient time will be allowed for the traveling teacher to travel to and from the host school district and the receiving school district.~~

~~(ii) The division shall not approve an agreement under this section unless the agreement requires the traveling teacher to be physically present in the receiving school district while the traveling teacher is teaching any course specified in the agreement.~~

~~(3) The agreement shall be reviewed and approved by the division under subsection (f) of this section.~~

~~(c) To the extent the agreement is approved by the division:~~

~~(1)(A) Upon completion of the traveling teacher's services provided under the agreement and under the terms of the agreement, the host school district shall pay the traveling teacher, in addition to the amount required by the teacher's annual teacher's contract with the host school district a bonus of either:~~

~~(i) Two thousand dollars (\$2,000) for a semester agreement; or~~

~~(ii) Four thousand dollars (\$4,000) for a full school year agreement.~~

~~(B) The division shall reimburse the host school district for the amount of bonus paid to the traveling teacher; and~~

~~(2)(A) The host school district shall reimburse the traveling~~

~~teacher for expenses related to travel to and from a receiving school district at the appropriate state rate of reimbursement in existence and approved by the Department of Finance and Administration for the school year in which the traveling teacher's services are provided.~~

~~(B) The division shall reimburse the host school district for the amount of travel reimbursement paid by the host school district to the traveling teacher.~~

~~(d) Neither the division nor the State of Arkansas shall be obligated or liable to reimburse any bonus or travel expenses incurred under an agreement for traveling teacher services under this section if the division has not reviewed and approved the entire agreement.~~

~~(e) The division may, if feasible and if funding is available, establish an online registry of public school teachers willing to enter into an agreement for traveling teacher services under this section with information concerning the teacher's employing school district and any course the teacher is qualified to teach.~~

~~(f)(1) All proposed agreements among a host school district, a receiving school district, and a traveling teacher shall be submitted to the division by a date certain for review and approval by the division.~~

~~(2) The division shall review each agreement with all requisite authority to approve or deny the agreement based on the provisions of law, rule, availability of funding, and discretionary determination as to the best use of state resources and funding.~~

~~(3) The division shall endeavor to consider approval of an agreement to:~~

~~(A) Place a traveling teacher with a receiving school district to maximize the efficiency of the traveling teacher's service to both the host and receiving school districts; and~~

~~(B) Minimize the extent and duration of any travel required.~~

~~(g)(1) The division shall establish any rules and agreement forms necessary for the administration of the Arkansas Traveling Teacher Program.~~

~~(2) In establishing the rules, the division shall:~~

~~(A) Prioritize the approval of agreements for traveling teacher services based on subject area course needs;~~

~~(B) Establish appropriate travel limitations;~~

~~(C) Develop a method of equitable distribution of traveling teachers among the area's education service cooperatives; and~~

~~(D) Provide a means by which education service cooperatives may assist in facilitating traveling teachers.~~

~~(h) No provision of this section is intended or should be interpreted to waive any immunity or defense of the State of Arkansas or its various agencies, boards, or commissions and no person shall be deemed to have any legal entitlement, recourse, or cause of action against the State of Arkansas or its various agencies, boards, or commissions based on the terms, conditions, or provisions of this section.~~

~~(i) [Repealed.]~~

SECTION 8. Arkansas Code § 6-15-202(f)(21), concerning reporting of statutory requirements of accelerated learning by a superintendent, is amended to read as follows:

(21) Section 6-16-1201 et seq. and § 6-5-1201 et seq. concerning ~~advanced placement and concurrent enrollment~~ accelerated learning;

SECTION 9. Arkansas Code § 6-15-214 is amended to read as follows:

6-15-214. ~~Advanced placement~~ Accelerated learning course counted as core curriculum course taught.

(a) The purpose of this section is to assist small, rural public schools in providing students access to the most rigorous courses available if it is the desire of students to take ~~advanced placement~~ accelerated learning courses in the place of regular courses and, in doing so, to meet the requirements of the Standards for Accreditation of Arkansas Public Schools and School Districts.

(b)(1) The Division of Elementary and Secondary Education acknowledges that the rigor and level of difficulty of ~~advanced placement~~ accelerated learning courses exceed the requirements of regular courses.

~~(2) Such rigor and level of difficulty are validated through the required advanced placement audit and advanced placement examinations~~ All accelerated learning courses shall meet the approved program requirements.

(3) The State Board of Education may deny courses that do not meet the approved program requirements.

~~(c) The State Board of Education~~ state board shall consider an

~~advanced placement~~ accelerated learning course as being taught for one (1) of the required courses under the Standards for Accreditation of Arkansas Public Schools and School Districts if:

(1) The public school district has a qualified teacher for the required course;

(2) No students enrolled in the required course;

(3) An ~~advanced placement~~ accelerated learning course in the same subject area as the required course has students enrolled in the ~~advanced placement~~ accelerated learning course;

(4) The public school district teaches all other courses required by the Standards for Accreditation of Arkansas Public Schools and School Districts; and

(5)(A) The public school district teaches the required course to any student who enrolls in the public school district after the school year begins.

(B) The public school district may teach the required course to a new student:

(i) In a traditional classroom setting;

(ii) Through distance learning with a qualified teacher; or

(iii) By modifying the ~~advanced placement~~ accelerated learning course on an individual level to accommodate the new student.

(d)(1) The public school district shall notify the division after registration in the spring before the beginning of the new school year and immediately after the school year begins if no students enrolled in the required course and the public school district will seek to meet the Standards for Accreditation of Arkansas Public Schools and School Districts using the ~~advanced placement~~ accelerated learning course.

(2) Upon receiving the public school district notification and after spring registration, the division shall permit the public school district to meet the Standards for Accreditation of Arkansas Public Schools and School Districts by teaching the ~~advanced placement~~ accelerated learning course in place of the required course.

(e) If a new student enrolls in the required course, the public school district shall immediately notify the division.

(f) The division shall establish procedures to ensure that no student

is coerced into taking an ~~advanced placement~~ accelerated learning course for the purpose of meeting the Standards for Accreditation of Arkansas Public Schools and School Districts.

SECTION 10. Arkansas Code § 6-15-215 is repealed.

~~6-15-215. The Arkansas Smart Core Incentive Funding Program—
Definitions.~~

~~(a) The General Assembly finds that:~~

~~(1) The skills and knowledge gained through Arkansas's Smart Core curriculum provide the academic foundation required for high school graduates to succeed in their first year of college or in a job that promises a well-paying career track; and~~

~~(2) School districts should encourage all students who are capable of completing the Smart Core curriculum to do so.~~

~~(b) As used in this section:~~

~~(1) "Eligible high school" means each public high school in a school district that meets the criteria to receive incentive funding under subsection (f) of this section and the program rules adopted under this section by the State Board of Education;~~

~~(2) "Smart Core" means the curriculum established by the Division of Elementary and Secondary Education under the Standards for Accreditation of Arkansas Public Schools and School Districts that is part of Smart Future, a state initiative focused on improving Arkansas public high schools for all students; and~~

~~(3) "Smart Core graduate" means a student who graduated from an Arkansas public high school after having successfully completed the Smart Core curriculum.~~

~~(c) The Arkansas Smart Core Incentive Funding Program is established to provide a financial incentive to:~~

~~(1) Assist with a public high school's efforts to encourage public high school students to complete the Smart Core curriculum;~~

~~(2) Promote programs that contribute to student success, including without limitation:~~

~~(A) Tutoring;~~

~~(B) Quality after school and summer programs that may include literacy, math, and science specialists in elementary school; and~~

~~(C) Professional development for mathematics, science, literacy, foreign language, and Advanced Placement instruction; and~~

~~(3) Provide support to school counselors to improve student services.~~

~~(d)(1)(A) A school district that receives incentive funding under this section shall provide the incentive funding to each eligible high school in the school district.~~

~~(B) The eligible high school shall spend the incentive funding only for the purposes identified in subsection (c) of this section.~~

~~(2) A school district that receives incentive funding under the program shall not use the incentive funding to provide increases to the salary schedule of the school district.~~

~~(c)(1) Subject to an appropriation and available funding for the program, the division shall pay incentive funding to a school district under this section based on an annual percentage of Smart Core graduates from a public high school in the school district.~~

~~(2)(A) The division shall make the calculation based on a student record analysis conducted annually by the division beginning with the graduating class of 2010.~~

~~(B) The division shall exclude from the student record analysis a student with an individualized education program that does not require the student to complete the Smart Core curriculum.~~

~~(f)(1) By June 30 of each year, the division shall pay to a school district incentive funding under the program as follows:~~

~~(A) If one hundred percent (100%) of a public high school's graduates in the immediately preceding school year completed the Smart Core curriculum, the school district where the public high school is located shall receive one hundred twenty five dollars (\$125) per Smart Core graduate;~~

~~(B) If at least ninety five percent (95%) but less than one hundred percent (100%) of a public high school's graduates in the immediately preceding school year completed the Smart Core curriculum, the school district where the public high school is located shall receive one hundred dollars (\$100) per Smart Core graduate; and~~

~~(C) If at least ninety percent (90%) but less than ninety five percent (95%) of a public high school's graduates in the immediately~~

~~preceding school year completed the Smart Core curriculum, the school district where the public high school is located shall receive fifty dollars (\$50.00) per Smart Core graduate.~~

~~(2) The division shall not pay incentive funding to a school district for a public high school in which less than ninety percent (90%) of its graduates complete the Smart Core curriculum.~~

~~(3) If a public high school's graduation rate falls below the average graduation rate for the public high school for the previous three (3) school years, the school district is not eligible to receive the full incentive award under the program for the public high school.~~

~~(g) Participation in the program is voluntary.~~

~~(h) This section is effective from July 1, 2009, through June 30, 2020.~~

SECTION 11. Arkansas Code §§ 6-15-901 and 6-15-902 are amended to read as follows:

6-15-901. Definition.

For the purposes of this subchapter, ~~“advanced placement course accelerated learning”~~ means a course of instruction that qualifies for college credit and that is approved for credit as a high school course by the State Board of Education an organized method of learning that enables a student to meet individual academic goals and graduation requirements while pursuing higher levels of skill development, including without limitation the following coursework:

(1) A College Board pre-Advanced Placement and Advanced Placement course;

(2) An International Baccalaureate Diploma Programme course;

(3) A Cambridge Advanced International Certificate of Education course;

(4) A concurrent credit course; and

(5) A substantively similar course or program approved by the Division of Elementary and Secondary Education.

6-15-902. Grading scale – Exemptions – Special education classes.

(a) The following grading scale shall be used by all public secondary schools in the state for all courses, except ~~Advanced Placement~~ accelerated

~~learning courses, and approved courses for weighted credit, and courses offered under the International Baccalaureate Diploma Programme:~~

- (1) A = 90-100;
- (2) B = 80-89;
- (3) C = 70-79;
- (4) D = 60-69; and
- (5) F = 59 and below.

(b)(1) Each letter grade shall be given a numeric value for the purpose of determining grade average.

(2) Except for ~~Advanced Placement~~ accelerated learning courses, ~~and approved courses for weighted credit, courses offered under the International Baccalaureate Diploma Programme, and honors courses,~~ the numeric value for each letter grade shall be:

- (A) A = 4 points;
- (B) B = 3 points;
- (C) C = 2 points;
- (D) D = 1 point; and
- (E) F = 0 points.

(c)(1) The State Board of Education shall promulgate rules for accelerated learning and approved courses for weighted credit that address the following:

(A) ~~Adopt appropriate equivalents for advanced placement and college courses; and~~

(B) ~~Recommend a uniform grading structure for honors courses.~~

(2) ~~Weighted credit shall be allowed for advanced placement courses and courses offered under the International Baccalaureate Diploma Programme if:~~

(A) ~~The student takes the entire Advanced Placement course or the entire course offered in the International Baccalaureate Diploma Programme in a particular subject;~~

(B) ~~The student completes the applicable test offered by the College Board for advanced placement courses at the end of the advanced placement course or the applicable test offered by the International Baccalaureate at the time prescribed by the organization; and~~

(C)(i) ~~A teacher of an advanced placement course meets~~

~~Arkansas teacher licensure requirements and:~~

~~(a) Attends at least one (1) of the following trainings no less than one (1) time every five (5) years:~~

~~(1) College Board Advanced Placement Summer Institute;~~

~~(2) College Board endorsed training; or~~

~~(3) Other similarly rigorous training approved by the Division of Elementary and Secondary Education; or~~

~~(b) Completes an additional training plan for Advanced Placement within three (3) years of commencing the additional training plan; or~~

~~(ii) A teacher of a course offered under the International Baccalaureate Diploma Programme meets Arkansas teacher licensure requirements and attends the training required by the International Baccalaureate Standards;~~

~~(B) Grading scales;~~

~~(C) A numeric value for the purpose of determining grade average; and~~

~~(D) Weight given to the numeric value as provided in subdivision (b)(2) of this section.~~

~~(3)(2) The Division of Elementary and Secondary Education ~~may~~ shall approve a course for weighted credit if the course:~~

~~(A) Exceeds the curriculum standards for a nonweighted credit class; ~~or~~~~

~~(B) Meets or exceeds the standards of a comparable ~~advanced placement class~~ accelerated learning course; or~~

~~(C) Is identified by the Division of Elementary and Secondary Education as an honors class.~~

~~(4)(A)(3)(A) The Division of Elementary and Secondary Education in collaboration with the Division of Career and Technical Education may approve a career and technical course within an approved career and technical pathway for weighted credit if the course:~~

~~(i) Exceeds the curriculum standards for a nonweighted class; and~~

~~(ii) Leads to an approved industry-recognized certification or concurrent credit.~~

(B) The Division of Career and Technical Education shall:

(i) Review new and existing career and technical pathways to determine which courses within the career and technical pathways meet criteria for weighted credit; and

(ii) Publish a list of approved career and technical pathways annually by January 1.

(C) Criteria used to determine what courses within a career and technical pathway shall receive weighted credit shall include without limitation the consideration of career and technical pathways that:

(i) Lead to high-value industry credentials; and

(ii) Align to state and local workforce data.

(D) Weighted credit awarded under subdivision ~~(e)(4)(A)~~ (c)(3)(A) of this section shall be awarded for each course upon:

(i) Completing the relevant career and technical pathway; and

(ii) Earning the high-value industry credential aligned with the career and technical pathway.

~~(5)(A) A local school district board of directors may adopt a policy to allow high school students in the public school district to take college courses for weighted credit equal to the numeric grade awarded in Advanced Placement courses, courses offered under the International Baccalaureate Diploma Programme, and honors classes.~~

~~(B)(i) If a local school district board of directors adopts a policy under subdivision (c)(5)(A) of this section, the school district shall apply to the Division of Elementary and Secondary Education for approval.~~

~~(ii) An application under subdivision (c)(5)(B)(i) of this section shall be reviewed for approval to assign a numeric grade value, which may include weighted credit, based on the following:~~

~~(a) A letter from the superintendent of the public school district or principal of the public school describing how the course exceeds expectations for coursework required under the Standards for Accreditation of Arkansas Public Schools and School Districts; and~~

~~(b) The grade level or levels of public school students who will be enrolled in the course.~~

(d) A public school district may use the grading scale in this section

~~in the public school district's elementary schools.~~

(e) The Division of Elementary and Secondary Education may promulgate rules to implement this section.

SECTION 12. Arkansas Code § 6-15-1004(b)(2)(C), concerning the continuing education and professional development requirement under the Standards for Accreditation of Arkansas Public Schools and School Districts, is amended to read as follows:

(C) For purposes of the requirement for continuing education and professional development under this section, each hour of training received by licensed personnel related to teaching an ~~advanced placement class for a subject covered by the College Board and Educational Testing Service~~ accelerated learning course shall be counted as professional development up to a maximum of thirty (30) hours.

SECTION 13. Arkansas Code § 6-15-1301(b)(1), concerning the membership of the Safe Schools Committee under the Safe Schools Initiative Act, is amended to read as follows:

(b)(1) The Safe Schools Committee shall be composed of ~~the following individuals~~ and stakeholders deemed necessary and appointed by the Commissioner of the Division of Elementary and Secondary Education;

~~(A) One (1) classroom teacher appointed by the Arkansas Education Association;~~

~~(B) Two (2) school administrators appointed by the Arkansas Association of Educational Administrators;~~

~~(C) Two (2) school district board members appointed by the Arkansas School Boards Association;~~

~~(D) A staff member of the division appointed by the Commissioner of Elementary and Secondary Education;~~

~~(E) A school safety specialist, employed by an Arkansas school district, appointed by the commissioner;~~

~~(F) One (1) school counselor appointed by the Arkansas Counseling Association;~~

~~(G) The Director of the Criminal Justice Institute and of the Arkansas Center for School Safety, or his or her designee;~~

~~(H) One (1) classroom teacher appointed by the Arkansas~~

~~State Teachers Association;~~

~~(I) The Director of the Division of Emergency Management, or his or her designee;~~

~~(J) The Executive Director of the Arkansas Public School Resource Center, Inc., or his or her designee;~~

~~(K) A chief of police or a sheriff appointed by the commissioner;~~

~~(L) The Executive Director of the Arkansas Rural Ed Association, or his or her designee;~~

~~(M) The State Fire Marshal, or his or her designee;~~

~~(N) One (1) school psychologist appointed by the Arkansas School Psychology Association; and~~

~~(O) One (1) director of an Arkansas education service cooperative appointed by the commissioner.~~

SECTION 14. Arkansas Code § 6-15-1303(d)(3)(A), concerning the provision of training and technical assistance under the Safe Schools Initiative Act, is amended to read as follows:

(3)(A) The Arkansas Center for School Safety of the Criminal Justice Institute shall be the state school safety clearinghouse and shall collaborate with the following entities to provide a comprehensive, efficient, and effective resource for education and law enforcement personnel to obtain training and technical assistance to meet the school safety needs of students in this state:

(i) The Division of Elementary and Secondary Education;

(ii) The Safe Schools Committee established under this subchapter; and

~~(iii) The Arkansas Association of Educational Administrators;~~

~~(iv) The Arkansas School Boards Association;~~

~~(v) Education service cooperatives;~~

~~(vi) The Division of Emergency Management;~~

~~(vii) The Arkansas Public School Resource Center, Inc.; and~~

~~(viii) Other key stakeholders.~~

SECTION 15. Arkansas Code Title 6, Chapter 15, Subchapter 21, is amended to add an additional section to read as follows:

6-15-2102. Definition.

As used in this subchapter, "school" includes a public school within a traditional public school district and an open-enrollment public charter school.

SECTION 16. Arkansas Code § 6-15-2108 is amended to read as follows:

6-15-2108. School rating system.

(a) The school rating system shall be a multiple-measures approach that shall include without limitation:

- (1) Academic achievement on the annual statewide student assessment;
 - (2) Student growth on the annual statewide student assessment;
- and

- (3) School-level graduation rate or rates; ~~and~~
- ~~(4) English learner progress or growth in acquiring English.~~

~~(b) The school rating system shall consider without limitation at least one (1) or more of the following indicators:~~

- ~~(1) Closing the achievement gap;~~
- ~~(2) Academic growth of student subgroups, including without limitation economically disadvantaged students, students from major racial and ethnic groups, English learners, and students with disabilities;~~
- ~~(3) The percentage of the grade nine (9) cohort with on-time completion of credit attainment at the end of grade nine (9);~~
- ~~(4) Equity in resource allocation;~~
- ~~(5) The percentage of students who earn:~~
 - ~~(A) Advanced placement credit;~~
 - ~~(B) Concurrent credit;~~
 - ~~(C) International Baccalaureate credit; or~~
 - ~~(D) Industry recognized certification that leads to articulated or concurrent credit at a postsecondary institution;~~
- ~~(6) Student access to multiple flexible learning continua, including but not limited to personalized, competency, or mastery learning;~~
- ~~(7) Student access to preschool offered by the public school~~

~~district;~~

~~(8) The proportional percentage of qualified educators who hold a National Board for Professional Teaching Standards certification or have an advanced degree beyond their bachelor's degree; and~~

~~(9) Public school district and community partnerships.~~

~~(e)(b)~~ Indicators included or considered as part of the school rating system shall:

(1) Allow for meaningful differentiation in school performance;

and

(2) Be valid, reliable, comparable, and applicable statewide.

~~(d)(c)~~ The Division of Elementary and Secondary Education shall:

~~(1) promulgate~~ Promulgate rules to implement this section; and

~~(2) Develop a formula to determine a letter grade under § 6-15-2105 for the following without limitation:~~

(A) A public school district; and

(B) An education service cooperative.

SECTION 17. Arkansas Code § 6-16-140(a), concerning a certificate of attainment awarded to a student completing an approved vocational or technical career pathway or program of study at a public high school, is amended to read as follows:

(a) A student who successfully completes an approved vocational or technical career pathway or program of study at a public high school shall be awarded a certificate of attainment that shall be:

(1) Aligned in the appropriate career pathway or program of study; and

(2) Used for consideration of acceptance and ~~advanced~~ priority placement into an apprenticeship training program.

SECTION 18. Arkansas Code § 6-16-148(a)(1), concerning the foundation of certain social studies or history courses offered in grades seven through twelve (7-12), is amended to read as follows:

(1) A social studies or history course conditioned upon knowledge of historical events from the colonial period to modern times of United States history for which graduation credit is or may be ~~received,~~ ~~except for advanced placement courses~~

SECTION 19. Arkansas Code Title 6, Chapter 16, Subchapter 8, is repealed.

~~Subchapter 8—Arkansas Advanced Placement and International Baccalaureate Diploma Incentive Program Act of 1995~~

~~6-16-801.—Title.~~

~~This subchapter shall be known as and may be cited as the “Arkansas Advanced Placement and International Baccalaureate Diploma Incentive Program Act of 1995”.~~

~~6-16-802.—Purpose.~~

~~(a) The purpose of this subchapter is to serve as a legislative charter for the establishment, organization, and administration of a program designed to improve the course offerings available to middle school, junior high school, and high school students throughout the state.~~

~~(b) The program established under this subchapter will provide advanced educational courses that are easily accessible and that will prepare students for admission to and success in a postsecondary educational environment.~~

~~(c) A key component in the program is adequately preparing teachers and schools in providing advanced placement courses or courses offered under the International Baccalaureate Diploma Programme to their students.~~

~~6-16-803.—Definitions.~~

~~As used in this subchapter:~~

~~(1) “Advanced placement course” means a high school level preparatory course for a college advanced placement test that incorporates all topics specified by the College Board and Educational Testing Service on its standard syllabus for a given subject area and is approved by the College Board and Educational Testing Service;~~

~~(2) “College advanced placement test” means the advanced placement test administered by the College Board and Educational Testing Service;~~

~~(3) “College Board” means the College Board and Educational Testing Service;~~

~~(4) “International Baccalaureate Diploma Programme” means an~~

~~international education program offered by the International Baccalaureate;~~

~~(5) "Preadvanced placement course" means a middle school, junior high school, or high school level course that specifically prepares students to enroll and participate in an advanced placement course;~~

~~(6) "Program" means the Arkansas Advanced Placement and International Baccalaureate Diploma Incentive Program; and~~

~~(7) "State board" means the State Board of Education.~~

~~6-16-804. Established — Subsidies — Rules.~~

~~(a) The Arkansas Advanced Placement and International Baccalaureate Diploma Incentive Program is hereby established, to be administered by the Commissioner of Elementary and Secondary Education.~~

~~(b) Contingent upon legislative appropriations and based on criteria established by the Division of Elementary and Secondary Education, schools participating in the program may be awarded a one-time equipment and instructional materials grant for providing an advanced placement course or a course offered under the International Baccalaureate Diploma Programme.~~

~~(c) Subject to legislative appropriations, a teacher participating in the advanced placement program, in the International Baccalaureate Diploma Programme, or in the preadvanced placement program may be awarded subsidized teacher training for advanced placement courses at a cost not to exceed six hundred fifty dollars (\$650) per teacher.~~

~~(d)(1) Contingent upon legislative appropriation and the availability of funding, the state may pay in full, or on a pro rata basis as determined under subdivision (d)(2) of this section, the cost of the advanced placement test fee or the equivalent test fee under the International Baccalaureate Diploma Programme, or both.~~

~~(2) The State Board of Education may create a sliding scale based on family income.~~

~~(e) The state board is authorized to promulgate rules necessary to implement this subchapter.~~

~~6-16-805. Funding.~~

~~(a) The awards granted under the provisions of this subchapter for both advanced placement and the International Baccalaureate Diploma Programme may be funded by donations, grants, or legislative appropriation.~~

~~(b) All donations, grants, and appropriations received shall be accounted for by the Division of Elementary and Secondary Education.~~

~~(c) The Commissioner of Elementary and Secondary Education may solicit and receive donations and grants for the purpose of making awards.~~

~~6-16-806. Treatment as advanced placement course.~~

~~Any high school course offered under the International Baccalaureate Diploma Programme shall be treated the same as an advanced placement course, including for the following purposes:~~

~~(1) Weighted credit;~~

~~(2) The Arkansas Advanced Placement and International Baccalaureate Diploma Incentive Program Act of 1995, § 6-16-801 et seq.; and~~

~~(3) Reporting requirements.~~

SECTION 20. Arkansas Code §§ 6-16-1202 through 6-16-1204 are amended to read as follows:

6-16-1202. Definitions.

As used in this subchapter:

(1) ~~“Advanced Placement course” means a high school level preparatory course for a college Advanced Placement test that:~~

~~(A) Incorporates all topics specified by the College Board and Educational Testing Service on its standards syllabus for a given subject area; and~~

~~(B) Is approved by the College Board and Educational Testing Service;~~

~~(2) “Endorsed concurrent enrollment course” means a college-level course offered by an institution of higher education in this state that upon completion would qualify for academic credit in both the institution of higher education and a public high school that:~~

~~(A) Is in one (1) of the four (4) core areas of math, English, science, and social studies;~~

~~(B) Meets the requirements of § 6-16-1204(b); and~~

~~(C) Is listed in the Arkansas Course Transfer System of the Division of Higher Education;~~

~~(3) “Pre-Advanced Placement course” means a middle school, junior high school, or high school level course that specifically prepares~~

~~students to enroll and to participate in an advanced placement course; and~~

~~(4) "Vertical team" means a group of educators from different grade levels in a given discipline who work cooperatively to develop and implement a vertically aligned program aimed at helping students from diverse backgrounds acquire the academic skills necessary for success in the Advanced Placement program and other challenging coursework~~ "Accelerated learning" means an organized method of learning that enables students to meet individual academic goals and graduation requirements while pursuing higher levels of skill development, including without limitation the following coursework:

(A) A College Board pre-Advanced Placement and Advanced Placement course;

(B) An International Baccalaureate Diploma Programme course;

(C) A Cambridge Advanced International Certificate of Education course;

(D) A concurrent credit course; and

(E) A substantively similar course or program approved by the Division of Elementary and Secondary Education; and

(2) "Concurrent credit course" means a college-level course offered by an institution of higher education in this state that upon completion would qualify for academic credit in both the institution of higher education and a public high school.

6-16-1203. Teacher skills and training.

~~(a)(1) A teacher of an Advanced Placement course must obtain appropriate training.~~

~~(2) The State Board of Education shall establish clear, specific, and challenging training guidelines that require teachers of College Board advanced placement courses and teachers of pre-Advanced Placement courses to obtain College Board sponsored or endorsed training.~~

~~(3) The training may include vertical team training.~~

(b)(a) An instructor of an endorsed concurrent enrollment an accelerated learning or concurrent credit course shall have meet the requirements of the:

(1) Institution of higher education that is offering the course;

or

(2) Accrediting organization authorized under § 6-16-1202+

~~(1)(A) No less than a master's degree that includes at least eighteen (18) hours of completed course work in the subject area of the endorsed concurrent enrollment course.~~

~~(B)(b)(1) The An instructor's credentials shall be approved by the academic unit or chief academic officer of the institution of higher education offering the ~~endorsed~~ concurrent credit ~~enrollment~~ course, and.~~

(2) The relevant credentials and experience necessary to teach from the syllabus approved by the institution of higher education granting the course credit.

6-16-1204. Implementation.

~~(a)(1) In order to prepare students for the rigor inherent in Advanced Placement courses, school districts shall offer pre-Advanced Placement courses to prepare students for the demands of Advanced Placement coursework.~~

~~(2) The Division of Elementary and Secondary Education shall approve all classes designated as pre-Advanced Placement courses.~~

~~(b) An endorsed A concurrent credit ~~enrollment~~ course must meet the following requirements:~~

(1) The course must be a course offered by an institution of higher education in this state that is:

(A) Approved through the institution of higher education's normal process; and

(B) Listed in the institution of higher education's catalog;

(2) The course content and instruction must meet the same standards and adopt the same learning outcomes as those developed for a course taught on the campus of the institution of higher education, including without limitation:

(A) The administration of any departmental exams applicable to the course; and

(B) The use of substantially the same book and syllabus as is used at the college level;

(3) The course must be taught by an instructor with the

qualifications required under ~~§ 6-16-1203(b)~~ § 6-16-1203;

(4) The institution of higher education offering the course must:

(A) Provide to the course instructor staff development, supervision, and evaluation; and

(B)(i) Provide the students enrolled in the course with:

(a) Academic guidance counseling; and

(b) The opportunity to utilize the on-campus library or other academic resources of the institution of higher education.

(ii) ~~Nothing in this~~ This subdivision ~~(b)(4)~~ (a)(4) shall not preclude institutions of higher education from collaborating to meet the requirements of this subdivision ~~(b)(4)(a)(4)~~;

(5) To be eligible to enroll in ~~an endorsed~~ a concurrent ~~enrollment~~ credit course, the student must:

(A) ~~Be admitted by the institution of higher education as a nondegree or noncertificate-seeking student; and~~

(B) Meet all of the prerequisites for the course in which he or she is enrolled; and

(6)(A) Credit for the ~~endorsed~~ concurrent ~~enrollment~~ credit course may only be awarded by the institution of higher education offering the course.

(B) ~~Nothing in this~~ This subdivision ~~(b)(6)~~ (a)(6) shall not preclude institutions of higher education from collaborating to provide the course and award course credit.

~~(e)(b)~~ Beginning with the ~~2008-2009~~ 2025-2026 school year, all public school districts and open-enrollment public charter schools shall offer ~~one~~ (1) College Board Advanced Placement course in each of the four (4) core areas of math, English, science, and social studies for a total of four (4) courses at least four (4) accelerated learning courses that cover the following subject areas:

(1) Math;

(2) English;

(3) Science; and

(4) Social studies.

~~(d)(1) The requirement under subsection (e) of this section shall be phased in over a period of four (4) years beginning with the 2005-2006 school~~

year.

~~(2) Beginning with the 2008-2009 school year, all high schools in Arkansas shall offer a minimum of four (4) Advanced Placement courses by adding at least one (1) core course each year to the list of courses available to high school students.~~

~~(e)(1)(A) A state supported two year or four year institution of higher education may offer a reduced tuition rate for endorsed concurrent enrollment courses offered by the institution of higher education to high school students under this subchapter.~~

~~(B) The reduction in tuition under subdivision (e)(1)(A) of this section or any tuition paid by the institution of higher education under subdivision (e)(3)(B) of this section shall not be considered an institutional scholarship.~~

~~(2) The number of students enrolled and the semester credit hours for endorsed concurrent enrollment courses shall be included in the calculation of full-time equivalent enrollment for the institution of higher education.~~

~~(3)(A) A national school lunch student, as defined in § 6-20-2303, shall not be required to pay any of the costs up to a maximum of six (6) credit hours of endorsed concurrent enrollment courses that are taught:~~

~~(i) On the grounds of the public school district in which the student is enrolled; and~~

~~(ii) By a teacher employed by the public school district in which the student is enrolled.~~

~~(B) The costs for endorsed concurrent enrollment courses under subdivision (e)(3)(A) of this section shall be paid:~~

~~(i) By the public school district in which the student is enrolled;~~

~~(ii) By the institution of higher education offering the course; or~~

~~(iii) Through a cost-sharing agreement between the public school district and the institution of higher education.~~

(c)(1) Beginning with the 2025-2026 school year and each year thereafter, the tuition rate for a concurrent credit course offered by a public school district or open-enrollment public charter school in partnership with an institution of higher education shall:

(A) For every one (1) academic credit hour provided by an institution of higher education, be an agreed amount that is not:

(i) More than two and one-half percent (2.5%) of the per-pupil amount established under § 6-20-2305 that is allotted per student each year; and

(ii) Less than one-half percent (0.5%) of the per-pupil amount established under § 6-20-2305 that is allotted per student each year; and

(B) Not exceed the standard tuition rate and fee structure of the institution of higher education providing the concurrent credit course.

(2)(A) The amount established under subdivision (c)(1)(A) of this section may be satisfied through the following sources:

(i) ACCESS to Acceleration Scholarship Program funds;

(ii) Funding from the school district where a student is enrolled;

(iii) Other consideration agreed to by the public school district or open-enrollment public charter school and institution of higher education; and

(iv) Any other available sources as determined by the Division of Higher Education.

(B) An institution of higher education shall not receive funding for concurrent credit courses for tuition at secondary vocational centers under § 6-51-301 et seq. if the institution of higher education is already receiving funding designated for vocational center aid.

(3) A student or a student's parent or guardian shall not be responsible for tuition, fees, or materials for participation in a concurrent credit course.

SECTION 21. Arkansas Code § 6-17-309 is amended to read as follows:

6-17-309. Licensure – Waiver.

(a)~~(1)~~ A class of students shall not be under the instruction of a teacher who is not licensed to teach the grade level or subject matter of the class for more than sixty (60) consecutive school days in the same class during a school year.

~~(2)(b)~~ ~~This subsection~~ Subsection (a) of this section shall not apply to:

~~(A)(1)~~ Nondegreed vocational-technical teachers;

~~(B)(2)~~ Individuals approved by the Division of Elementary and Secondary Education to teach the grade level or subject matter of the class in the Division of Elementary and Secondary Education's distance learning program;

~~(C)(3)~~ Individuals teaching concurrent credit courses or ~~advanced placement~~ accelerated learning courses who:

~~(i)(A)~~ Are employed by a postsecondary institution;

~~(ii)(B)~~ Meet the qualification requirements of a postsecondary institution or the Division of Career and Technical Education; and

~~(iii)(C)~~ Are teaching in a course in which credit is offered by an institution of higher education or a technical institute;

~~(D)(4)~~ Licensed teachers teaching in one (1) of the following settings:

~~(i)(A)~~ An alternative learning environment;

~~(ii)(B)~~ A juvenile detention facility;

~~(iii)(C)~~ A residential and day alcohol, drug, and psychiatric facility program;

~~(iv)(D)~~ An emergency youth shelter;

~~(v)(E)~~ A facility of the Division of Youth Services;

or

~~(vi)(F)~~ A facility of the Division of Developmental Disabilities Services;

~~(E)(5)~~ Licensed special education teachers who are teaching two (2) or more core academic subjects exclusively to children with disabilities; or

~~(F)(6)~~ Teachers who are working under an Aspiring Teacher permit for a period of time not to exceed one (1) academic year or two (2) consecutive semesters.

~~(b)(1) If this requirement imposes an undue hardship on a school district, the school district may apply to the State Board of Education for a waiver.~~

~~(2) The state board shall develop rules for granting a waiver.~~

~~(3) Any school district that obtains a waiver shall send written notice of the assignment to the parent or guardian of each student in the classroom no later than the sixtieth school day after the date of the assignment.~~

~~(4) [Repealed.]~~

SECTION 22. Arkansas Code § 6-17-709(d), concerning the professional development schedule for licensed educators, is amended to read as follows:

(d) The Division of Elementary and Secondary Education shall establish the curriculum under this section in collaboration with ~~educational agencies and associations, including without limitation the~~ relevant stakeholders.

~~(1) Division of Higher Education;~~

~~(2) Arkansas Association of Educational Administrators;~~

~~(3) Arkansas Education Association;~~

~~(4) Arkansas School Boards Association;~~

~~(5) Arkansas Association for Supervision and Curriculum Development;~~

~~(6) Arkansas State Teachers Association; and~~

~~(7) Arkansas Rural Ed Association.~~

SECTION 23. Arkansas Code Title 6, Chapter 18, Subchapter 2, is amended to add an additional section to read as follows:

6-18-237. Absences for certain purposes unexcused.

(a) A public school district or an open-enrollment public charter school shall not grant excused absences for purposes of political protest.

(b) A public school district or an open-enrollment public charter school may grant an excused absence for the following purposes with written consent of a parent, legal guardian, or person standing in loco parentis to the student:

(1) Social or public policy advocacy; or

(2) Attempts to influence legislation or other governmental policy-making at the local, state, or federal level.

(c) This section does not prohibit students from attending curricular or cocurricular activities approved by the public school district or open-enrollment public charter school for credit.

(d) A public school district or an open-enrollment public charter

school that grants excused or unexcused absences under subsections (a) or (b) of this section shall provide a report by June 30 each year to the Division of Elementary and Secondary Education that contains the following:

- (1) The number of absences requested under this section;
- (2) The number of absences granted under this section; and
- (3) The stated purposes of the absence.

SECTION 24. Arkansas Code § 6-18-1104(b), concerning parental notification and permission related to school fundraising programs, is amended to read as follows:

(b) A one-page form for parental notification and permission shall be developed by the Division of Elementary and Secondary Education ~~in cooperation with school administrators and the Arkansas Parent Teacher Association.~~

SECTION 25. Arkansas Code § 6-18-2004(b)(2)(G)(vi), concerning the direct and indirect services offered as comprehensive student services by a school counselor as part of a contributing member of a decision-making team in advanced placement and gifted and talented programs, is amended to read as follows:

(vi) ~~Advanced placement~~ Accelerated learning and gifted and talented programs.

SECTION 26. Arkansas Code § 6-18-2004(c), concerning administrative activities performed by a school counselor, is amended to read as follows:

(c)(1) Administrative activities performed by a school counselor shall not exceed more than ten percent (10%) of the school counselor's time spent working during student contact days.

(2) Administrative activities provided by a school counselor in collaboration with other school personnel include without limitation:

(A) Coordinating state assessments, cognitive achievement assessments, ~~advanced placement~~ accelerated learning programs, and English language proficiency testing programs;

(B) Developing master schedules;

(C) Coordinating of:

(i) Teams convened under Section 504 of the

Rehabilitation Act of 1973, Pub. L. No. 93-112;

- (ii) Response-to-intervention teams;
 - (iii) English learner programs;
 - (iv) Parental involvement or family engagement programs;
 - (v) Positive behavioral intervention support programs;
 - (vi) Data entry; and
 - (vii) ~~Advanced placement~~ Accelerated learning and gifted and talented programs; and
- (D) Monitoring students in common areas such as the cafeteria, hallway, playground, and bus lines.

SECTION 27. Arkansas Code § 6-20-2203(a)(4), concerning the development by the Division of Elementary and Secondary Education of the Arkansas Financial Accounting Handbook, is amended to read as follows:

(4) The rules shall be developed by the state board in cooperation with the division, and representatives from the ~~Arkansas Association of Educational Administrators, the Arkansas Association of School Business Officials, the Arkansas Education Association, the education service cooperatives, and the~~ Legislative Joint Auditing Committee.

SECTION 28. Arkansas Code § 6-20-2204(a)(3)(A), concerning required training for public school districts, open-enrollment public charter schools, and education service cooperatives under the Arkansas Educational Financial Accounting and Reporting Act of 2004, is amended to read as follows:

(3)(A) The instruction may be provided by an institution of higher education in this state, from instruction sponsored by the division, ~~by an in-service training program conducted by the Arkansas Association of School Business Officials,~~ or from another provider.

SECTION 29. Arkansas Code § 6-20-2204(b)(2), concerning required Tier II training for public school districts, open-enrollment public charter schools, and education service cooperatives under the Arkansas Educational Financial Accounting and Reporting Act of 2004, is amended to read as follows:

(2) Tier II training shall be developed by the division in cooperation with representatives from ~~the Arkansas Association of Educational Administrators, the Arkansas Association of School Business Officials, the Arkansas Education Association,~~ the Legislative Joint Auditing Committee, ~~and the education service cooperatives.~~

SECTION 30. Arkansas Code § 6-20-2207(b)(1), concerning the rules governing the uniform budget and accounting system for school districts, education service cooperatives, and open-enrollment public charter schools, is amended to read as follows:

(b)(1)~~(A)~~ The state board shall amend the rules, and the Division of Elementary and Secondary Education shall amend the Arkansas Financial Accounting Handbook provided in subsection (a) of this section as necessary.

~~(B) The amendments, annual revisions, and financial accounting updates to the Arkansas Financial Accounting Handbook shall be developed with representatives from the Arkansas Association of School Business Officials, the education service cooperatives, and other school district officials as designated by the division.~~

SECTION 31. Arkansas Code § 6-21-113(a), concerning the membership of the Advisory Committee on Public School Academic Facilities, is amended to read as follows:

(a) To assist the Division of Public School Academic Facilities and Transportation, there is established the Advisory Committee on Public School Academic Facilities to be composed of the following members who must be willing to devote adequate time to the work of the committee and who reflect the demographics of the state:

(1) The Director of the Division of Public School Academic Facilities and Transportation or the director's designee, who shall also serve as secretary to the committee;

(2) One (1) person who is a licensed building contractor experienced in public school construction ~~selected from a list of no fewer than three (3) names submitted by the Arkansas Chapter of the Associated General Contractors of America;~~

(3) One (1) person who is a licensed architect experienced in public school design ~~submitted by the Arkansas Chapter, the American~~

~~Institute of Architects;~~

~~(4) One (1) person who is a licensed or registered mechanical engineer experienced in public school mechanical and plumbing systems design selected from a list of no fewer than three (3) names submitted by the Arkansas Society of Professional Engineers;~~

~~(5) One (1) person who is a licensed or registered electrical engineer experienced in public school electrical systems design selected from a list of no fewer than three (3) names submitted by the Arkansas Society of Professional Engineers;~~

~~(6) One (1) person who is a licensed or registered civil engineer experienced in public school civil engineering design and construction selected from a list of no fewer than three (3) names submitted by the Arkansas Society of Professional Engineers;~~

~~(7) Two (2) persons selected by the Commission for Arkansas Public School Academic Facilities and Transportation, one (1) of whom is knowledgeable and holds certification in the field of educational technology applications and strategies;~~

~~(8) Two (2) persons selected from a list of six (6) names submitted by the Arkansas Association of Educational Administrators from its membership;~~

~~(9) One (1) person selected from a list of three (3) names submitted by the Arkansas Education Association from its membership;~~

~~(10) Two (2) persons selected from a list of six (6) names submitted by the Arkansas School Boards Association from its membership;~~

~~(11) Two (2) persons selected from a list of six (6) names submitted by the Arkansas Rural Ed Association from its membership;~~

~~(12) One (1) person selected from a list of three (3) names submitted by the Arkansas Public School Resource Center, Inc., from its membership; and~~

~~(13) Three (3) persons, one (1) from each of the professions of construction, architecture, and education, selected by the commission to serve as ex-officio members of the committee based on prior service on the committee;~~

(9) One (1) licensed teacher appointed by the Commissioner of Elementary and Secondary Education;

(10) One (1) principal appointed by the commissioner; and

(11) One (1) superintendent appointed by the commissioner.

SECTION 32. Arkansas Code § 6-21-817(b), concerning the membership of the Public School Americans with Disabilities Act Compliance Committee, is amended to read as follows:

(b) The committee shall be composed of ~~six (6) members as follows~~ the following members:

- (1) One (1) member from the Building Authority Division;
- (2) One (1) member from the Division of Public School Academic Facilities and Transportation;
- (3) One (1) member from the ~~State Fire Marshal Office of the Division of Arkansas State Police~~ Office of Fire Protection Services;
- (4) One (1) member from the Division of Elementary and Secondary Education;
- ~~(5) One (1) member from the Arkansas Association of Educational Administrators; and~~
- ~~(6) One (1) member from the Arkansas Public School Resource Center, Inc.~~
- (5) Other relevant stakeholders deemed necessary by the members designated under subdivisions (b)(1)-(4) of this section.

SECTION 33. Arkansas Code § 6-28-112(b), concerning academic course placement under the Arkansas Military Child School Transitions Act of 2021, is amended to read as follows:

(b) Academic course placement includes without limitation enrollment in:

- (1) ~~Honors courses~~ Accelerated learning courses; and
- (2) ~~The International Baccalaureate Diploma Programme;~~
- ~~(3) Advanced Placement courses; and~~
- ~~(4) Academic, technical, and career pathway courses.~~

SECTION 34. Arkansas Code Title 6, Chapter 28, Subchapter 2, is amended to add an additional section to read as follows:

§ 6-28-207. Purple Star Schools.

(a) A public school district or an open-enrollment public charter school that shows a significant commitment to serving students and families

connected to the United States Armed Forces may be designated as a Purple Star School or Purple Star School District.

(b) The Division of Elementary and Secondary Education may promulgate rules to implement this section.

SECTION 35. Arkansas Code § 6-41-610(b)(2), concerning the membership of the committee that develops and updates the Arkansas Dyslexia Resource Guide, is amended to read as follows:

~~(2)(A)~~ The committee shall include ~~one (1) representative who has the following members who shall have~~ experience working in the field of dyslexia intervention ~~from the following organizations, and are~~ appointed by the Commissioner of Elementary and Secondary Education:

~~(i)(A)~~ ~~The Arkansas Association of Educational Administrators~~ One (1) public school administrator;

~~(ii)(B)~~ ~~The Division~~ A representative from the Office of Learning Services of the Division of Elementary and Secondary Education;

~~(iii)(C)~~ ~~The~~ A representative from the Division of Higher Education;

~~(iv)(D)~~ ~~The Arkansas Education Association~~ One (1) public school licensed educator;

~~(v)(E)~~ ~~The Arkansas School Boards Association~~ One (1) public school district board of directors member;

~~(vi)(F)~~ ~~The Arkansas School Psychology Association,~~ A school psychologist with at least three (3) years of experience in testing for dyslexia; ~~and~~

~~(vii)(G)~~ ~~An education service cooperative administrator;~~
and

~~(B)(H)~~ Three (3) professionals who have worked in a public school who are knowledgeable in and have expertise in dyslexia screening and interventions.

SECTION 36. Arkansas Code §§ 6-51-602 and 6-51-603 are amended to read as follows:

6-51-602. Definitions.

As used in this subchapter, ~~unless the context otherwise requires:~~

(1) "Admissions representative" means a person who executes an

enrollment agreement and who receives compensation for the primary duties of encouraging prospective students to enroll for training in a program of study offered by a school covered under the provisions of this subchapter;

(2) ~~“Board” means the State Board of Private Career Education~~
Arkansas Higher Education Coordinating Board;

(3) ~~“Combination school” means any school in which programs of study are conducted by both distance education and resident training;~~

(4) ~~“Director” means the authorized representative of the State Board of Private Career Education for the purpose of administering the provisions of this subchapter;~~

(5) ~~“Distance education school” means any school in which all programs of study are conducted by distance education;~~

(6) “Extension course site” means a location away from the school where a course or courses are conducted one (1) or more times during the licensure period;

(4) “Institution of higher education” means a:

(A) State-supported two-year or four-year college or university; or

(B) 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;

~~(7)(5)~~ (5) “Program of study” means an organized unit of courses or an individual course in which instruction is offered;

~~(8) “Resident school” means any school in which all programs of study are conducted in resident classrooms or held in public meeting facilities;~~

~~(9)(6)~~ (6) “Satellite school” means a ~~location within the State of~~
school located in Arkansas but away from the school where programs of study are offered on a regular continuing basis by Arkansas schools;

~~(10)(A)(7)(A)~~ (7)(A) “School” means ~~any person, firm, partnership, association, corporation, or other form of business organization seeking to do business or offering in the State of Arkansas~~ an entity that offers:

(i) ~~resident~~ Resident or correspondence training that leads to or enhances occupational qualifications;

~~(B) “School” also means any firm, partnership, association, corporation, or other form of business organization that offers~~

~~instruction~~

~~(ii) Instruction in airframe or power plant mechanics;~~

~~(C)(iii) "School" also means any firm, partnership, association, corporation, or other form of business organization that offers training Training as preparation for passing exams that may lead to employment;~~ or

~~(D)(iv) "School" also means any firm, partnership, association, corporation, or other form of business organization that offers driver Driver education training, excluding those courses taught to motor vehicle violators pursuant to court order.~~

~~(E)(B) "School" does not include:~~

~~(i) A program of instruction in yoga or in yoga-teacher training; or~~

~~(ii) An an institution that is subject to the jurisdiction of the Arkansas Higher Education Coordinating Board under § 6-61-301 of higher education; and~~

~~(11)(8) "Student" or "enrollee" means a person who is seeking to enroll, has been enrolled, is sought for enrollment, or is seeking training or instruction in a school as defined in this section.~~

6-51-603. Exemptions.

The following are exempt from licensure under this subchapter:

(1) Private institutions exclusively offering instruction at any or all levels from ~~preschool~~ prekindergarten through ~~twelfth~~ grade twelve (preK-12);

(2) Schools established by ~~laws of Arkansas~~ laws, ~~governed by Arkansas boards,~~ and permitted to operate for the sole purpose of providing specific training normally required to qualify persons for occupational licensure by state boards or commissions, which determine education and other standards for licensure and operation of such schools;

(3) ~~State colleges and universities coordinated by the Arkansas Higher Education Coordinating Board~~ Institutions of higher education;

(4) Programs of study offered ~~by institutions or individuals~~ for personal improvement, whether avocational or recreational, if designated through media or other sources as not for the purpose of enhancing an

occupational objective;

(5) Schools operated solely to provide programs of study in theology, divinity, religious education, and ministerial training;

(6) A training program offered or sponsored by an employer for training and preparation of its own employees and for which no tuition fee is charged the employee;

(7) A program of study sponsored by a recognized trade, business, or professional organization for instruction of the members of the organization with a closed membership and for which no fee is charged the member;

(8) A school or educational institution supported by state or local government taxation;

(9) Flight instructors and flight instruction schools licensed under appropriate Federal Aviation Administration regulations and offering only training for a private pilot's license;

(10) Schools covered by § 6-61-301(a)(3) and exempt from § 6-61-101 et seq.;

(11) Training offered by other Arkansas state agencies, boards, or commissions;

(12)(A) Training offered on military bases where a majority of the students enrolled are active duty personnel or their adult family members, United States Department of Defense civilian employees or their adult family members, members of the United States Armed Forces reserve components, and retirees.

(B) These organizations shall remain exempt from the requirement for licensure if required to move off the military installation for a period of not more than ninety (90) days because of a change in security level which would not allow civilian students on the installation.

(C) ~~The State Board of Private Career~~ Division of Higher Education shall have the authority to may review any situations that extend past the ninety-day period and determine whether the exemption status should remain for the school;

(13) Certified nurse aide or certified nursing assistant training programs:

(A) Whose underlying majority ownership has ownership of five (5) or more nursing facilities licensed by the Office of Long-Term Care;

and

(B) That are under the regulatory oversight of the office;

and

(14) Schools located outside the state that:

(A) Offer education or training outside the state; and

(B) Do not participate in distance education.

SECTION 37. Arkansas Code § 6-51-605 is amended to read as follows:

6-51-605. ~~State Board of Private Career Education~~ Authority of Division of Higher Education.

~~(a)(1)(A) The Governor shall appoint a State Board of Private Career Education of seven (7) members who shall serve for terms of seven (7) years.~~

~~(B) The Governor shall make appointments or reappointments to the board to provide membership of three (3) persons associated with schools and four (4) persons from the general public.~~

~~(2) The Commissioner of the Division of Higher Education and the Director of the Division of Career and Technical Education or their designees shall serve as nonvoting, ex officio members of the board.~~

~~(b)(1) The board may elect the necessary officers, acting by and through the Commissioner of the Division of Higher Education.~~

~~(2) The Division of Higher Education shall have the sole authority to:~~

~~(A)(1) Approve all schools offering programs of study leading to or enhancing an occupational objective;~~

~~(B) Administer and enforce this subchapter; and~~

~~(C)(2) Issue licenses to schools that have met the standards set forth for the purposes of this subchapter established by the Division of Higher Education, including without limitation ~~programs.~~~~

(A) Programs of study, adequate;

(B) Adequate facilities, financial;

(C) Financial stability, qualified;

(D) Qualified personnel, and legitimate; and

(E) Legitimate operating practices.

~~(e)(b) Upon approval by the Division of Higher Education, any such school may issue certificates or diplomas.~~

~~(d)(c) The Division of Higher Education shall:~~

- (1) ~~Formulate the~~ Establish criteria and the standards ~~evolved~~ for the approval of ~~such~~ licensed schools;
- (2) Provide for adequate investigation of all schools applying for a license;
- (3) Issue licenses to those applicants meeting the standards ~~fixed~~ established by the Division of Higher Education; and
- (4) Maintain a list of schools approved under ~~the provisions of~~ this subchapter.

~~(e) The Division of Higher Education shall formulate the standards evolved under this subchapter for the approval of admissions representatives of such licensed schools and issue licenses to those applicants meeting the standards fixed by the Division of Higher Education.~~

~~(f)(d) In consultation with the board, the~~ The Division of Higher Education shall may promulgate standards and rules to be prescribed for the administration of this subchapter and the management and operation of the schools and admissions representatives, subject to the provisions of implement this subchapter.

~~(g)(e) The Division of Higher Education shall participate in the~~ administer hearings before the Arkansas Higher Education Coordinating Board for ~~provided to~~ schools and admissions representatives ~~in cases of~~ facing revocation or denial of licensure.

~~(h) Official meetings of the board may be called by the Chair of the State Board of Private Career Education as necessary, but meetings shall be held at least four (4) times a year.~~

~~(i) A majority of favorable votes by the board members at an official meeting is required for adoption of a recommendation.~~

~~(j) Board members may be reimbursed for expenses in accordance with § 25-16-901 and stipends according to § 25-16-903.~~

~~(k) The board may adopt and use a seal, which may be used for the authentication of the recommendations of the board.~~

~~(l)(1)(f)(1)~~ (1) The Division of Higher Education shall annually require background investigations for all partners or shareholders with ten percent (10%) or more ownership interest in a school when the school seeks an original license.

(2) The Division of Higher Education may establish a schedule for periodic background checks for partners or shareholders with ten percent

(10%) or more ownership interest in a school when seeking renewal of a school license.

~~(m)(1)(g)(1)~~ The partners or shareholders shall apply to the Identification Bureau of the Division of Arkansas State Police for a state and national criminal background check to be conducted by the Federal Bureau of Investigation.

(2) The check shall conform to the applicable federal standards and shall include the taking of fingerprints.

(3) The applicant shall sign a release of information to the board and shall be responsible to the Division of Arkansas State Police for the payment of any fee associated with the criminal background check.

(4) Upon completion of the criminal background check, the Identification Bureau of the Division of Arkansas State Police shall forward to the Division of Higher Education all information obtained concerning the person in the commission of any offense listed in § 6-51-606(g)(3).

(5)(A) The Division of Higher Education may issue a nonrenewable temporary license pending the results of the criminal background check.

(B) The temporary license shall be valid for no more than six (6) months.

(C) Upon receipt of information from the Identification Bureau of the Division of Arkansas State Police that only one (1) of the partners or shareholders of the school holding the license has been convicted of any offense listed in § 6-51-606(g)(3), the Division of Higher Education shall revoke the license.

~~(n)(1)(h)(1)~~ ~~The provisions of Licensure revocation under § 6-51-606(g)~~ may be waived by the Division of Higher Education upon the request of:

(A) An affected applicant for licensure; or

(B) The partners or shareholders of a school holding a license subject to revocation.

(2) Circumstances for which a waiver may be granted shall include, ~~but not be limited to,~~ without limitation the following:

(A) The age at which the crime was committed;

(B) The circumstances surrounding the crime;

(C) The length of time since the crime;

(D) Subsequent work history;

(E) Employment references;

(F) Character references; and

(G) Other evidence demonstrating that the applicant does not pose a threat.

~~(e)(1)~~(i)(1) Any information received by the Division of Higher Education from the Identification Bureau of the Division of Arkansas State Police under this section shall not be available for examination except by:

(A) The affected applicant for licensure or his or her authorized representative; or

(B) The person whose license is subject to revocation or his or her authorized representative.

(2) No record, file, or document shall be removed from the custody of the Division of Arkansas State Police.

~~(p)~~(j) Any information made available to the affected applicant for licensure or the person whose license is subject to revocation shall be information pertaining to that person only.

~~(q)~~(k) Rights of privilege and confidentiality established in this section shall not extend to any document created for purposes other than the background check required by this section.

~~(r) In consultation with the board, the Division of Higher Education shall adopt the necessary rules to fully implement the provisions of this section.~~

SECTION 38. Arkansas Code § 6-51-606 is amended to read as follows:

6-51-606. School license generally.

(a) No persons shall operate, conduct, maintain, or offer to operate in ~~this state~~ Arkansas a school as defined in this subchapter, or solicit the enrollment of students residing in ~~the state~~ Arkansas, unless a license is first secured from the Division of Higher Education ~~issued in accordance with the provisions of this subchapter and the rules promulgated by the division in consultation with the State Board of Private Career Education.~~

~~(b)(1) Application~~ An application for a license shall be ~~filed in the manner and upon the forms prescribed and furnished by the division for that purpose~~ signed and include all required information as prescribed by the division.

~~(2) The application shall be signed by the applicant and properly verified and shall contain such information as may apply to the type~~

~~and kind of school, satellite school, or extension course site for which a license is sought.~~

(c)(1) A license issued shall be restricted to the programs of study specifically indicated in the application ~~for a license.~~

(2) The holder of a license shall present a supplementary application for approval of additional programs of study.

(d) The license shall remain the property of the State of Arkansas and shall be returned to the division upon cause.

(e) After a license is issued to any school by the division ~~on the basis of its application,~~ it shall be the responsibility of the school to notify the division immediately ~~the division~~ of any changes in the ownership, administration, location, faculty, or programs of study ~~on the forms and in the manner prescribed by the division.~~

(f)(1) In the event of the sale of such school, the license granted to the original owner or operators shall not be transferable to the new ownership or operators, ~~but,~~

(2) An application for a new license ~~must~~ shall be made and approved before the new ownership's taking over operation of the school.

(g) The division shall have the power to deny issuing a new or renewal license, to revoke an existing license, or to place a licensee on probation, if in its discretion it determines that:

(1) The licensee has violated any of the provisions of this subchapter or any of the rules of the division;

(2) The applicant or licensee has knowingly presented to the division incomplete or misleading information relating to licensure;

(3) The applicant or licensee has pleaded guilty, entered a plea of nolo contendere, or has been found guilty in a criminal proceeding, regardless of whether or not the adjudication of guilt or sentence is withheld, deferred, or suspended by a court of ~~this state~~ Arkansas, another state, or the United States Government, of:

(A) Any felony; or

(B) Any act involving moral turpitude, gross immorality, or which is related to the qualifications, functions, and duties of a licensee;

(4) The applicant or licensee has intentionally failed or refused to permit the division ~~or its representatives~~ to inspect the school

or classes or has intentionally failed or refused to make available to the division, ~~at any time~~ when requested to do so, full information pertaining to any or all items of information contained in an application for license or pertaining to the operation of the school;

(5) The applicant has failed or refused to submit to the division an application for license or renewal ~~in the manner and on the forms prescribed;~~

(6) A licensed admissions representative has failed or refused to display or produce his or her license when requested to do so by prospective students or ~~designated officials~~ of the division;

(7) The applicant or licensee has failed to provide or maintain premises, equipment, materials, supplies, or conditions in accordance with minimum standards as established by rules;

(8) The licensee has been found by the division or a court of law to have perpetrated fraud or deceit in advertising of the school or programs of study or in presenting to prospective students information relating to the school, programs of study, employment opportunities, or opportunities for enrollment in institutions of higher education;

(9) The licensee has in its employ any admissions representatives who have not been licensed but are actively engaged in the practice of attempting to enroll students;

(10) The licensee has failed to provide and maintain standards of instruction or qualified administrative, supervisory, or instructional staff as established by rules;

(11) The applicant or licensee is unable to provide and maintain financial resources in sufficient amount to equip and maintain the school or classes;

(12) The licensee has moved the school into new premises or facilities without first notifying the division;

(13) The licensee has offered training or instruction in programs of study which have not been approved and authorized in accordance with rules;

(14) A licensed admissions representative has solicited prospective students to enroll in a school which has not been licensed by the division or which is not listed on his or her license;

(15) There was a change in the ownership of the school without

proper notification to and approval from the division;

(16) The licensee has failed to notify the division or to provide written documentation as to the cause that the license of a school has been suspended or revoked or the school has been placed on probation or a show cause issued in another state or by another regulatory agency;

(17) The licensee has failed to notify the division of legal actions initiated by or against the school; or

(18) The licensee fails to make tuition refunds to the students or their lenders in compliance with current rules.

(h) The division shall have the power to revoke a license if in its discretion it determines that:

(1) The licensee has failed to cure a deficiency leading to a license probation within the time as may be reasonably prescribed by the division;

(2) The licensee while on probation has been found by the division to have incurred an additional infraction of this subchapter; or

(3) The licensee has closed a school without first having completed the training of all students currently enrolled or having made tuition refunds to students or their lenders.

(i) The division may impose sanctions under § 25-15-217.

(j)(1) Unless directed to do so by court order, the division shall not, for a period of five (5) years following revocation, reinstate the license of a school or allow an owner of any such school to seek licensure of another school.

(2) Upon expiration of licensure status, the school must apply for an original license in accordance with the provisions of this subchapter.

(k)(1) Upon closure of a school located in Arkansas and licensed under any provision of this subchapter, whether for license revocation or any other cause, all student financial aid records for the previous three (3) years and all student transcripts regardless of age must be delivered to the division.

(2) Delivered records shall be arranged in alphabetical order and stored in boxes or in data format at the discretion of the division.

(3) The division shall be responsible for the proper security, storage, and maintenance of all such records.

SECTION 39. Arkansas Code § 6-51-607(a)(1), concerning the payment of

annual fees by a private resident and correspondence school, is amended to read as follows:

(a)(1) Each school licensed under this subchapter shall pay annually a fee to be set by the Division of Higher Education in consultation with the ~~State Board of Private Career Education~~ Arkansas Higher Education Coordinating Board.

SECTION 40. Arkansas Code § 6-51-609(k), concerning the promulgation of rules related to private resident and correspondence schools, is repealed.

~~(k) In consultation with the State Board of Private Career Education, the Division of Higher Education shall adopt the necessary rules to fully implement the provisions of this section.~~

SECTION 41. Arkansas Code § 6-51-610(a), concerning fees related to private resident and correspondence schools, is amended to read as follows:

(a) In consultation with the ~~State Board of Private Career Education~~ Arkansas Higher Education Coordinating Board, the Division of Higher Education shall set fees for schools and admissions representatives.

SECTION 42. Arkansas Code § 6-51-616 is amended to read as follows:

6-51-616. Student grievance procedure.

(a) Any student may file a written complaint with the Division of Higher Education ~~on the forms prescribed and furnished by the division for that purpose~~ if the student has reason to believe he or she is suffering loss or damage resulting from:

(1) The failure of a school to perform agreements made with the student; or

(2) An admissions representative's misrepresentations in enrolling the student.

(b)(1) All complaints shall be investigated, and attempts shall be made to resolve them informally.

(2) If an informal resolution cannot be achieved, the aggrieved party may request a formal hearing to be held before the ~~State Board of Private Career Education~~ Arkansas Higher Education Coordinating Board.

(c) The aggrieved party may not pursue resolution before the board if legal action has been filed.

(d) The request for a hearing shall be in writing and filed with the ~~director~~ division within one (1) year of completion of, or withdrawal from, the school.

(e) The written request for a hearing shall name the parties involved and specific facts giving rise to the dispute.

(f) The ruling of the board shall be binding upon the parties.

SECTION 43. The introductory language of Arkansas Code § 6-51-617(a), concerning dispute resolution by the State Board of Private Career Education, is amended to read as follows:

(a) ~~The State Board of Private Career Education~~ Arkansas Higher Education Coordinating Board shall represent the sole authority to resolve disputes between a student and a school as to grievances relating to:

SECTION 44. Arkansas Code § 6-51-621 is repealed.

~~6-51-621. Construction of subchapter.~~

~~Nothing in this subchapter shall be construed to affect the responsibilities of the Arkansas Higher Education Coordinating Board as defined in § 6-61-301.~~

SECTION 45. Arkansas Code § 6-51-622(d), concerning rules related to noncommercial driver training instructions, is repealed.

~~(d)(1) In consultation with the State Board of Private Career Education, the Division of Higher Education may promulgate reasonable rules to implement, enforce, and administer this section.~~

~~(2) The rules of the division shall be issued in accordance with the Arkansas Administrative Procedure Act, § 25-15-201 et seq.~~

SECTION 46. Arkansas Code § 6-53-203(a), concerning powers and duties of the Arkansas Higher Education Coordinating Board related to the technical and community college system, is amended to add an additional subdivision to read as follows:

(10) Promulgate rules to implement this chapter.

SECTION 47. Arkansas Code § 6-60-1504 is amended to read as follows:
6-60-1504. Limitations.

(a) Nothing in this subchapter shall be interpreted as:

(1) Giving a member of the campus community the right to disrupt a previously scheduled or otherwise reserved activity;

(2) Authorizing a member of the campus community to disregard a policy of the state-supported institution of higher education regarding:

(A) Compliance with state and federal laws on discrimination and harassment; or

(B) The productive and efficient operation of an instructional or work environment;

(3) Preventing a state-supported institution of higher education from prohibiting, limiting, or restricting expression that is not protected under the First Amendment to the United States Constitution or Article 2, § 6, of the Arkansas Constitution; or

(4) Prohibiting a state-supported institution of higher education from imposing a restriction on the time, place, or manner of expression in or on a campus forum, provided the restriction on the time, place, or manner of expression:

(A) Is reasonable;

(B) Is justified without reference to the viewpoint of the speaker;

(C) Is narrowly tailored to serve a significant state interest; and

(D) Leaves open ample alternative channels for communication of the information or message contained in the expression.

(b) A state-supported institution of higher education shall not grant excused absences for:

(1) Purposes of political protest;

(2) Social or public policy advocacy; or

(3) Attempts to influence legislation or other governmental policymaking at the local, state, or federal level.

(c) Academic standards, teaching standards, education standards, curriculum, teacher professional development, and rules in a state-supported institution of higher education shall not authorize student walkouts for purposes of:

(1) Political protest;

(2) Social or public policy advocacy; or

(3) Attempts to influence legislation or other governmental policymaking at the local, state, or federal level.

(d) This section shall not be construed to prohibit students from attending curricular or co-curricular activities approved by the state-supported institution of higher education.

(e)(1) A student who negligently or intentionally causes damages to the property of a state-supported institution of higher education while engaging in a political protest or public policy advocacy shall be liable to the state-supported institution of higher education for damages caused by the student.

(2) A state-supported institution of higher education may seek to recover damages described in subdivision (e)(1) of this section in a court of competent jurisdiction.

(3) A student of a state-supported institution of higher education who has been found liable for damages described in subdivision (e)(1) of this section shall be subject to the following penalties until the judgment is fully satisfied:

(A) The student shall be ineligible to receive a degree or credential from the state-supported institution of higher education; and

(B) The state-supported institution of higher education shall not transfer or otherwise endorse credit issued by the state-supported institution of higher education for the purposes of satisfying degree requirements at any other state-supported institution of higher education.

SECTION 48. Arkansas Code Title 6, Chapter 60, is amended to add additional subchapters to read as follows:

Subchapter 16 – Rejecting Discrimination and Indoctrination in Postsecondary Education

6-60-1601. Legislative findings.

The General Assembly recognizes that:

(1) The First Amendment of the United States Constitution robustly protects the right to speak without government interference, but not to compel others to adopt, affirm, or adhere to specific beliefs;

(2) The Fourteenth Amendment of the United States Constitution provides that no state shall deny to any person within its jurisdiction the

equal protection of the law;

(3) Title IV of the Civil Rights Act of 1964 promotes the desegregation of public schools and authorizes the United States Attorney General to file lawsuits to enforce the provisions of the Civil Rights Act of 1964. It defines "desegregation" as "the assignment of students to public schools and within such schools without regard to their race, color, religion, or national origin," thereby removing government-sanctioned racial discrimination in schools and implementing the United States Supreme Court's holding in "Brown v. Board of Education", 347 U.S. 483 (1954), that racial separation is a violation of the Equal Protection Clause of the Fourteenth Amendment; and

(4) Title VI of the Civil Rights Act of 1964 states that "No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance".

6-60-1602. Purpose.

(a) It is the intent of the General Assembly that administrators, faculty, and other employees of a state-supported institution of higher education maintain nondiscriminatory policies in accordance with Title IV, Title VI, and Title VII of the Civil Rights Act of 1964.

(b) This subchapter is enacted to:

(1) Prevent discrimination;

(2) Promote the intellectual development of students and faculty in Arkansas; and

(3) Protect the free exchange of ideas according to the United States Constitution and the Arkansas Constitution.

6-60-1603. Definitions.

As used in this subchapter:

(1) "Accreditation" means the status of public recognition that an accrediting agency grants to an educational institution;

(2) "Accrediting agency" means a legal entity or part of a legal entity that:

(A) Conducts accrediting activities; and

(B) Makes decisions about the accreditation or pre-accreditation status of educational institutions;

(3) “Affirm, adopt, or adhere to” includes communicative speech or act or action, including without limitation:

(A) Engaging in symbolic speech;

(B) Holding signs;

(C) Raising hands;

(D) Signing a pledge; or

(E) Participating in a parade, “privilege walk”, or racially segregated activity of any sort;

(4) “Compel” means:

(A) Causing or pressuring an individual to perform an act or action against his or her will; or

(B) Retaliating against an individual who declines to perform an act against his or her will;

(5) “Diversity, equity, and inclusion initiative” or “DEI” means:

(A) An office, division, department, or administrative provider of a unit of study at a state-supported institution of higher education with the purpose of:

(i) Influencing academic, administrative, hiring, or employment practices at the state-supported institution of higher education;

(ii) Promoting:

(a) Preferences based upon race, color, sex, ethnicity, or national origin;

(b) Differential treatment on the basis of race, color, sex, ethnicity, or national origin; or

(c) Political or social activism to consider race, color, sex, ethnicity, or national origin as factors in decision-making, except where required by federal or state law; or

(iii) Any promotion described in subdivision (5)(A)(ii) of this section that conflicts with state and federal antidiscrimination laws; or

(B) Any program, activity, applicant statement, or training described in § 6-60-1604 that promotes an activity described in subdivision (5)(A)(ii) of this section;

(6) "State-supported institution of higher education" means a public postsecondary institution or a department in a public postsecondary institution that:

(A) Provides:

(i) An eligible program of training to prepare students for gainful employment in a recognized occupation; or

(ii) A program leading to a baccalaureate degree or a graduate degree; and

(B) Is accredited by a recognized accrediting agency or association and has continuously held the accreditation for the number of years required by the Division of Higher Education; and

(7) "Unit of study" means a class, single component, or subject offered by a state-supported institution of higher education for the completion of a degree or that leads to a postsecondary award, including academic credit, or for the purposes of auditing a class.

6-60-1604. Prohibitions.

(a) An officer, agent, administrator, employee, teacher, or contractor of a state-supported institution of higher education shall not compel another officer, agent, administrator, employee, teacher, contractor, or student of the state-supported institution of higher education to personally affirm, adopt, or adhere to ideas or beliefs in violation of Title IV, Title VI, or Title VII of the Civil Rights Act of 1964, including without limitation:

(1) That an individual should be adversely or advantageously treated on the basis of his or her race, ethnicity, sex, color, or national origin; and

(2) That an individual student of a state-supported institution of higher education or group of students of a state-supported institution of higher education, by virtue of their race, ethnicity, sex, color, or national origin, bear collective guilt or are inherently responsible for actions committed by other members of the same race, ethnicity, sex, color, or national origin.

(b) An officer, agent, administrator, employee, teacher, or contractor of a state-supported institution of higher education shall not adversely or advantageously treat students of the state-supported institution of higher education differently on the basis of race, ethnicity, sex, color, or

national origin except to the extent otherwise allowed by federal law.

(c)(1) An officer, agent, administrator, employee, teacher, or contractor of a state-supported institution of higher education, when acting in the course of his or her official duties, shall not organize, participate in, or carry out any act or communication that would violate subsection (a) of this section.

(2) The prohibition under subdivision (c)(1) of this section shall not be construed to prohibit an employee of a state-supported institution of higher education from:

(A) Discussing the ideas and history of the concepts described in subsection (a) of this section for legitimate educational, andragogical, or pedagogical purposes consistent with this subchapter; and

(B) Using methods of communication not in violation of this subchapter.

(d) An officer, agent, administrator, employee, teacher, or contractor of a state-supported institution of higher education may not condition enrollment in or attendance of a class, training, or orientation of the state-supported institution of higher education:

(1) On the basis of race, ethnicity, sex, color, or national origin where not required by federal law; or

(2) On requiring an individual to personally affirm, adopt, or adhere to a political, philosophical, religious, or other ideological viewpoint.

(e) An officer, agent, administrator, employee, teacher, or contractor of a state-supported institution of higher education shall not compel another officer, agent, administrator, employee, teacher, contractor, or student of the state-supported institution of higher education to personally affirm, adopt, or adhere to a political, philosophical, religious, or other ideological viewpoint.

(f) A state-supported institution of higher education shall not:

(1) Collect and report information related to DEI for institutional accreditation purposes;

(2) Comply with any institutional accreditation requirement related to DEI, including without limitation the requirement of a diversity statement from a state-supported institution of higher education or any employee or contractor of a state-supported institution of higher education;

or

(3) Comply with any institutional accreditation requirement of an accrediting agency that would require the state-supported institution of higher education to violate this subchapter.

(g)(1) This subchapter does not prohibit officers, agents, administrators, employees, teachers, contractors, or students of a state-supported institution of higher education from discussing public policy issues or ideas that individuals may find unwelcome, disagreeable, or offensive.

(2) It is the policy of this state that a state-supported institution of higher education educates students of the state-supported institution of higher education on how to think and not what to think.

(h)(1) Upon the president or chancellor of a state-supported institution of higher education receiving notice from the Attorney General of a violation of this section, a state-supported institution of higher education that does not immediately make all reasonable efforts to resolve the violation of this section shall demonstrate compliance with all requirements of this section within a reasonable time.

(2)(A) A state-supported institution of higher education that fails to demonstrate compliance with all requirements of this section within a reasonable time as required under subdivision (h)(1) of this section shall not be eligible for state funding under the state higher education funding formula.

(B) In order to regain eligibility for receipt of state funding, a state-supported institution of higher education shall demonstrate compliance with all requirements of this section for not less than one (1) fiscal year after the fiscal year in which the state-supported institution of higher education became ineligible for receipt of state funding.

(i) A state-supported institution of higher education shall not expend any state funds and shall reject any federal funds whose receipt requires the state-supported institution of higher education to violate this subchapter.

(j) This subchapter shall not be construed to prevent compliance with any state or federal civil rights laws that do not depend on receipt of state or federal funding.

(k) A state-supported institution of higher education shall not require a current or prospective officer, agent, administrator, employee,

teacher, contractor, or student of the state-supported institution of higher education to submit a statement or diversity statement describing his or her views on matters related to race, ethnicity, sex, color, or national origin to be considered for the purposes of hiring, evaluating, admitting, or promoting the officer, agent, administrator, employee, teacher, contractor, or student of the state-supported institution of higher education.

(l) This subchapter does not prohibit a state-supported institution of higher education from directing recruitment, advertisement, or promotion efforts to a specific population of prospective or existing students.

(m) This subchapter may be enforced by the Attorney General on behalf of the state.

Subchapter 17 – Arkansas Direct Admissions Program

6-60-1701 Title.

This subchapter shall be known and may be cited as the “Arkansas Direct Admissions Program Act”.

6-60-1702. Definitions.

As used in this subchapter:

(1) “Application requirements” means the forms, payments, or activities that are required to be completed by a student to apply to a state-supported institution of higher education as set by each participating institution;

(2) “Eligible student” means a student who resides in Arkansas and attends a public or private accredited high school that has agreed to participate in the Arkansas Direct Admissions Program;

(3) “Enrollment requirements” means the forms, payments, or activities that are required to be completed by a student to enroll in a state-supported institution of higher education as set by each participating institution;

(4) “Participating institution” means a state-supported institution of higher education, community college, or technical college within Arkansas that uses the Arkansas Direct Admissions Program;

(5) “Participating public school” means:

(A) A public high school within a traditional public

school district that is accredited by the State Board of Education;

(B) An open-enrollment public charter school organized as a high school that is authorized by the charter authorizing panel; and

(C) A private high school that is accredited by:

(i) The Arkansas Nonpublic School Accrediting Association, Inc., or its successor; or

(ii) Another accrediting association recognized by the state board;

(6) "Provisional admissions criteria" means the minimum academic requirements that a student is required to meet to receive a provisional admissions offer from a participating institution; and

(7)(A) "Provisional admissions offer" means a determination that a student meets admissions criteria.

(B) "Provisional admissions offer" does not mean acceptance to a participating institution.

§ 6-60-1703. Arkansas Direct Admissions Program.

(a) There is established the Arkansas Direct Admissions Program.

(b) The program shall:

(1) Begin implementation with the high school graduating class of 2026-2027;

(2) Establish:

(A) Provisional admissions criteria, including without limitation:

(i) Grade point average;

(ii) Assessment scores; and

(iii) Course completion;

(B) Eligibility requirements for participating institutions that include without limitation:

(i) Application requirements; and

(ii) Enrollment requirements; and

(C) Eligibility requirements for participating public schools;

(3) Require the collection of student academic information to determine provisional admissions offers;

(4) Include a common application portal for eligible students to

participate in the program that may include without limitation:

(A) Information about participating institutions;

(B) Communication of provisional admissions offers to participating students; and

(C) Information about available financial aid; and

(5) Include a plan to conduct outreach to eligible students to provide the eligible students with information regarding the operation of the program.

(c) This section shall not prevent a student who does not qualify for a provisional admissions offer from applying for enrollment in a participating institution through the participating institution's existing admissions process.

(d) The Division of Higher Education may promulgate rules to implement this subchapter.

§ 6-60-1704. Duties of public school districts and open-enrollment public charter schools.

(a) A public school district or open-enrollment public charter school may opt to participate in the Arkansas Direct Admissions Program.

(b) A participating public school shall provide student data to the Division of Higher Education that includes without limitation:

(1) Grade point average;

(2) Assessment scores; and

(3) Course completion.

(c)(1) Each public school district and open-enrollment public charter school shall inform all students about participation in the Arkansas Direct Admissions Program.

(2) A public school district or open-enrollment public charter school shall not actively discourage or prohibit an eligible student from participating in the Arkansas Direct Admissions Program.

SECTION 49. Arkansas Code Title 6, Chapter 61, Subchapter 1, is amended to add an additional section to read as follows:

§ 6-61-144. Purple Star Campuses.

(a) A state-supported institution of higher education that shows a significant commitment to serving students and families connected to the

United States Armed Forces may be designated as a Purple Star Campus.

(b) The Division of Higher Education may promulgate rules to implement this section.

SECTION 50. Arkansas Code § 6-61-201(a)-(c), concerning membership of the Arkansas Higher Education Coordinating Board, are amended to read as follows:

(a)(1) The Beginning May 1, 2025, the Arkansas Higher Education Coordinating Board shall consist of ~~twelve (12)~~ seven (7) members appointed by the Governor as follows:

(A)(i) ~~Six (6)~~ Four (4) members who shall be:

(a) Qualified electors of the State of Arkansas; and

(b) Graduates of ~~public~~ two-year or four-year state-supported institutions of higher education within the state.

(ii) If an appointee under this subdivision (a)(1)(A) is serving as a member of a board of a two-year or four-year state-supported institution of higher education at the time of appointment to the Arkansas Higher Education Coordinating Board, the appointee shall relinquish his or her membership on the board of the two-year or four-year state-supported institution of higher education; and

(B)(i) ~~Six (6)~~ Three (3) 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 state-supported institution of higher education.

(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)~~ two (2) members of the Arkansas Higher Education Coordinating Board shall be appointed from any one (1) congressional district as the districts exist at the time of the appointment.

(b) Vacancies on the Arkansas Higher Education Coordinating Board shall be filled for the unexpired terms, and the appointments shall be made in the same manner as the positions vacated.

(c)~~(1)~~ The members of the Arkansas Higher Education Coordinating Board

shall serve staggered terms of six (6) years.

~~(2) The terms of two (2) members shall expire each year.~~

SECTION 51. Arkansas Code § 6-61-202(a), concerning powers and duties of the Arkansas Higher Education Coordinating Board, is amended to add additional subdivisions to read as follows:

(8) Perform all other functions that may now or hereafter be delegated to the Arkansas Higher Education Coordinating Board by law; and

(9) Promulgate rules to perform all duties and obligations to implement this subchapter.

SECTION 52. Arkansas Code § 6-61-231(b)(1), concerning the purpose of the statewide transfer agreement, is amended to read as follows:

(b)(1) The purpose of this section is to eliminate obstacles to transfers of credits among ~~public~~ state-supported institutions of higher education in Arkansas by providing a seamless transfer of academic credits from a completed designated transfer degree program or a completed state minimum core curriculum to a baccalaureate degree program without the loss of earned credits and without the receiving ~~public~~ state-supported institution of higher education requiring additional lower-division ~~general-education~~ credits.

SECTION 53. Arkansas Code § 6-61-231(c), concerning the statewide transfer agreement developed by the Arkansas Higher Education Coordinating Board, is amended to add an additional subdivision read as follows:

(6)(A) Provides for a reverse transfer agreement for a student seeking an associate degree that transfers to a four-year state-supported institution of higher education before earning an associate degree.

(B)(i) Except as provided in subsection (c)(6)(B)(ii), a student shall be awarded an associate degree by the two-year state-supported institution of higher education upon completing the degree requirements at the four-year state-supported institution of higher education if the student earned more than thirty (30) credit hours toward the associate degree at the two-year state-supported institution of higher education.

(ii) A student eligible to receive an associate degree under subdivision (c)(6)(B)(i) of this section shall be:

(a) Notified in writing by the state-supported institution of higher education awarding the associate degree that the student is eligible to receive an associate degree;

(b) Provided an opportunity to decline the award of the associate degree;

(c) Awarded the associate degree if the student takes no action within thirty (30) days of being provided notice under subdivision (c)(6)(B)(ii)(a) of this section; and

(d) Awarded the associate degree by the four-year state-supported institution of higher education if the student elects to be awarded the associate degree by the four-year state-supported institution of higher education upon completion of the degree requirements.

(C)(i) Except as provided in subdivision (c)(6)(B)(ii)(d), a four-year state-supported institution of higher education shall:

(a) Identify each student who has completed at least sixty (60) hours of academic credit and met the state core curriculum requirements; and

(b) Forward a copy of the student's transcript to the two-year state-supported institution of higher education.

(ii) If a student attended more than one (1) two-year state-supported institution of higher education, the student's transcript shall be sent to the two-year state-supported institution of higher education that provided the largest number of credit hours.

(iii) The two-year state-supported institution of higher education shall notify the four-year state-supported institution of higher education if the associate degree has been conferred.

(iv) Upon notification, the four-year state-supported institution of higher education is no longer required to forward subsequent transcripts of the student at the completion of each term.

SECTION 54. Arkansas Code § 6-61-231(d)(2)(B), concerning the requirement of the Arkansas Higher Education Coordinating Board related to the statewide transfer agreement to identify postsecondary career education programs offered by two-year public institutions of higher education is amended to read as follows:

(B) Postsecondary career and technical education programs

offered by two-year ~~public~~ state-supported institutions of higher education, including those designated as college-credit courses applicable toward a certificate or degree;

SECTION 55. Arkansas Code § 6-61-234 is amended to read as follows:

6-61-234. Productivity-based funding model.

(a)(1)~~(A)~~ ~~The Arkansas Higher Education Coordinating Board shall adopt policies developed by the~~ Division of Higher Education may promulgate rules necessary to implement a productivity-based funding model for state-supported institutions of higher education, including without limitation two-year and four-year state-supported institutions of higher education.

~~(B) The board shall adopt separate policies for two-year institutions of higher education and four-year institutions of higher education.~~

(2) The ~~policies~~ rules adopted to implement a productivity-based funding model for state-supported institutions of higher education shall contain measures for effectiveness, affordability, and efficiency that acknowledge the following priorities:

(A) Differences in institutional missions;

(B) Completion of students' educational goals;

(C) Progression toward students' completion of programs of study;

(D) Affordability through:

(i) On-time completion of programs of study;

(ii) Limiting the number of excess credits earned by students; and

(iii) Efficient allocation of resources;

(E)(i) Beginning in the 2026-2027 academic year, incorporation of a return on investment metric into the productivity-based funding model.

(ii) The return on investment metric under subdivision (a)(2)(E)(i) of this section shall be defined by rule of the Division of Higher Education.

(iii) The Division of Higher Education shall ensure that the return on investment metric required under subdivision (a)(2)(E)(i) of this section is aligned with state economic and workforce needs;

~~(E)~~(F) Institutional collaboration that encourages the successful transfer of students;

~~(F)~~(G) Success in serving underrepresented students; and

~~(G)~~(H) Production of students graduating with credentials in science, technology, engineering, mathematics, and high-demand fields that align with statewide and regional workforce needs.

(3)(A) The Division of Higher Education may promulgate rules to implement a funding formula to support noncredit programs at a state-supported institution of higher education.

(B) Funding for a noncredit program may come from the following:

(i) General revenues authorized by law; and

(ii) Any other funds as provided by law.

(C) The Division of Higher Education shall consult with the Governor's Workforce Cabinet during development of the funding formula for the noncredit programs under subdivision (a)(3)(A) of this section.

~~(3)~~(4) The productivity-based funding model shall not determine the funding needs of special units such as a medical school, a division of agriculture, or system offices.

(b) The productivity-based funding model shall be:

(1) Used to align institutional funding with statewide priorities for higher education by:

(A) Encouraging programs and services focused on student success; and

(B) Providing incentives for progress toward statewide goals; and

(2) Built around a set of shared principles that:

(A) Are embraced by state-supported institutions of higher education;

(B) Employ appropriate productivity metrics; and

(C) Are aligned with goals and objectives for postsecondary education attainment in this state.

(c)(1) The ~~board~~ Division of Higher Education shall use the productivity-based funding model as the mechanism for recommending funding for state-supported institutions of higher education.

(2) The ~~board~~ Division of Higher Education shall recommend

funding for:

(A) State-supported institutions of higher education as a whole; and

(B) The allocation of funding to each state-supported institution of higher education.

(3) The ~~board~~ Division of Higher Education ~~shall~~ may make separate recommendations for:

(A) ~~two-year~~ Two-year state-supported institutions of higher education; and

(B) ~~four-year~~ Four-year state-supported institutions of higher education.

(d) Funds unallocated to state-supported institutions of higher education due to productivity declines shall be reserved by the ~~division~~ Division of Higher Education to address statewide needs in higher education.

(e) The ~~division~~ Division of Higher Education shall review the policies every five (5) years to ensure the productivity-based funding model continues to respond to the needs and priorities of the state.

(f) In any fiscal year for which the aggregate general revenue funding forecast to be available for state-supported institutions of higher education is greater than two percent (2%) less than the amount provided for the immediate previous fiscal year, the division shall not further implement the productivity-based funding model until the following fiscal year.

SECTION 56. Arkansas Code § 6-61-1010, concerning authority of the Arkansas Higher Education Coordinating Board under the Technical College and Community College Capital Improvement Act of 1993, is amended to add an additional subsection to read as follows:

(f) The Arkansas Higher Education Coordinating Board may promulgate rules to implement this subchapter.

SECTION 57. Arkansas Code § 6-61-1402 is amended to read as follows:

6-61-1402. Courses included in common course numbering system.

(a)~~(1)~~ The Arkansas Higher Education Coordinating Board, in collaboration with all state-supported institutions of higher education, shall develop and approve a statewide common course numbering system ~~for lower division general education courses found within the Arkansas Course~~

~~Transfer System.~~

~~(2)(b)~~ A state-supported institution of higher education that is not in full compliance with this subchapter shall not be eligible to accept state aid from the Higher Education Grants Fund Account on behalf of a student.

~~(b)(1)~~ A course designated as an upper division course level may be offered by any four year state supported institution of higher education and shall be characterized by a need for advanced academic preparation and skills that a student would be unlikely to achieve without significant prior coursework.

~~(2)~~ Upper division courses are not required to be included in the common course numbering system.

~~(c)~~ A course designated as a lower division course level may be offered by any state supported institution of higher education.

~~(d)~~ The common course numbering system shall include the thirty-five-hour general education core and major program prerequisites that are included in the state minimum core curriculum under § 6-61-231.

SECTION 58. Arkansas Code § 6-61-1403 is amended to read as follows:
6-61-1403. Additions or alterations.

~~(a)~~ The Commissioner of the Division of Higher Education shall recommend to the Arkansas Higher Education Coordinating Board any additions or alterations to the common course numbering system.

~~(b)~~ The board, with input from the Presidents Council, shall consider the recommended additions and alterations to the common course numbering system.

~~(c)~~ The board may adopt or refuse to adopt suggested additions or alterations to the common course numbering system.

Beginning with the 2026-2027 academic year, the Division of Higher Education, in collaboration with the Division of Elementary and Secondary Education, shall:

(1) Make recommendations for additions and alterations to the common course numbering system; and

(2) Review the common course numbering system to begin aligning elementary and secondary courses.

SECTION 59. Arkansas Code § 6-61-1406 is amended to read as follows:
6-61-1406. Courses review.

(a) The Division of Higher Education, in consultation with the Division of Elementary and Secondary Education, shall:

(1) Regularly schedule reviews of ~~courses that are listed in~~ the common course numbering system; and

(2) Establish review procedures; ~~and~~

~~(3) Adopt policies to carry out this section.~~

(b) The Division of Higher Education, in collaboration with the Division of Elementary and Secondary Education, may promulgate rules to implement this subchapter.

SECTION 60. Arkansas Code § 6-63-104 is amended to read as follows:
6-63-104. Faculty performance review.

(a)(1) The president and chancellor of each state-supported institution of higher education in Arkansas shall work with the campus faculties to develop a framework to review faculty performance, including post-tenure review.

(2)(A) The framework should be used to develop processes and procedures at each state-supported institution to ensure a consistently high level of performance of the faculty at ~~Arkansas's publicly supported institutions~~ a state-supported institution of higher education.

(B) The effects of the review process of faculty performance should include rewarding productive faculty, redirecting faculty efforts to improve or to increase productivity, and correcting instances of substandard performance.

(C) The framework developed by each state-supported institution shall be reported to the House Committee on Education, the Senate Committee on Education, the Joint Interim Oversight Committee on Education Reform, and the Division of Higher Education no later than December 1, ~~1998~~ 2025, and shall be implemented on the respective campuses no later than January 1, ~~2001~~ 2026.

(b)(1) Pursuant to subsection (a) of this section, each state-supported institution of higher education in Arkansas shall conduct a rigorous, consistently applied, annual review of the performance of all full-time faculty members.

(2) This review shall include assessments by peers, students, and administrators and shall be utilized to ensure a consistently high level of performance and serve in conjunction with other appropriate information as a basis for decisions on promotion, salary increases, and job tenure. ~~The evaluation by students and administrative staff, 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. This review shall not be used to demote a tenured faculty member to a nontenured status.~~

(3) The review process may result in the following corrective actions:

(A) Remedial training;

(B) Removal of tenure status; or

(C) Any other action permitted by the state-supported institution of higher education's review policy.

(4)(A) A state-supported institution of higher education may require an immediate for cause review of a faculty member as described in subsection (f) of this section.

(B) A tenured faculty member may appeal a state-supported institution of higher education's performance review decision in accordance with the provisions set by the state-supported institution of higher education in its faculty performance review framework.

(C) A state-supported institution of higher education shall provide a tenured faculty member with appropriate due process.

~~(c)(1) Each college and university~~ state-supported institution of higher education shall continually make efforts to identify any English fluency deficiencies of the teaching faculty and shall take reasonable measures to assist deficient faculty members in becoming proficient in English; however, the responsibility of acquiring the level of English proficiency required for the faculty member's teaching, research, or service assignments rests with the faculty member.

~~(2) Each college and university~~ state-supported institution of higher education shall have a process for addressing concerns raised by students concerning language proficiency problems of faculty members.

~~(d)(1) The division~~ A state-supported institution of higher education shall be responsible for monitoring the ~~evaluation~~ performance review process

~~and shall report its findings to the Arkansas Higher Education Coordinating Board and to the Legislative Council by August 1 of each year of all faculty members.~~

(2) The state-supported institution of higher education shall report by August 1 each year to its governing board the number of:

(A) Tenure track positions;

(B) Faculty members with current tenure status;

(C) Faculty members that initially received tenure status;

(D) Faculty members with tenure status in which tenure was reviewed that year; and

(E) Faculty members whose tenure status was:

(i) Maintained;

(ii) Conditionally maintained; and

(iii) Revoked.

(3) A copy of the report under subdivision (d)(2) of this section shall be provided to the division and the Legislative Council.

(e) Each state-supported institution of higher education shall require full-time faculty members of the college of education and related disciplines to work collaboratively with the accredited public schools in this state, and such faculty involvement shall be included as part of the annual review of the faculty as required by subsection (b) of this section.

(f) A state-supported institution of higher education may require an immediate review of a faculty member, including a faculty member with tenure, at any time if the state-supported institution of higher education determines that the faculty member has:

(1) Exhibited professional incompetence in the performance of his or her mandatory job duties;

(2) Continually or repeatedly failed to perform duties or meet professional responsibilities of the faculty member's position;

(3) Failed to successfully complete any post-tenure review professional development program;

(4) Violated laws or policies of a university system or a state-supported institution of higher education that are substantially related to the performance of the faculty member's duties;

(5) Been convicted of a crime affecting the fitness of the faculty member to engage in teaching, research, service, outreach, or

administration;

(6) Engaged in unprofessional conduct that adversely affects the state-supported institution of higher education or the faculty member's performance of duties or meeting of responsibilities;

(7) Falsified the faculty member's academic credentials; or

(8) Met any other for cause justification as defined in the state-supported institution of higher education's review policy.

(g) This section shall not affect the ability of a state-supported institution of higher education to terminate or take other action against a nontenured or at-will faculty member in accordance with the policies of the state-supported institution of higher education.

SECTION 61. Arkansas Code § 6-80-105 is amended to read as follows:

6-80-105. Student financial aid – Scholarship stacking – Definitions.

(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 Division of Higher Education~~ amount reported as the cost of attendance by an institution of higher education to the Division of Higher Education through the Integrated Postsecondary Education Data System;

(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 ~~Division of Higher Education~~ division's 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 United States Armed

Forces;

(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), subdivision (a)(5)(B)(ii), or subdivision (a)(5)(B)(iii) of this section.

(b)(1) The federal cost of attendance method shall be used for all students receiving state aid, regardless of whether a student is receiving federal aid.

(2)(A) Costs that would not be included in the federal cost of attendance shall not be included in the package for a student who receives state aid.

(B) Exceptions to the normal federal cost of attendance allowances as set forth in federal regulations may be included in the cost of attendance calculations.

(C) Institutional work study is not included in cost of attendance unless the institutional work study is need-based.

(3) 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.~~

(4) A two-year private postsecondary institution of higher education shall not award state aid in a student aid package at a cost greater than any two-year state-supported institution of higher education.

(5) A four-year private postsecondary institution of higher education shall not award state aid in a student aid package at a cost greater than any four-year state-supported institution of higher education.

(6) An institution of higher education shall award aid in the following order:

(A) The Arkansas Academic Challenge Scholarship;

(B) Any other state scholarship program, excluding the Arkansas Future Grant Program, Arkansas Teacher Academy Scholarship Program, and Arkansas National Guard Tuition Waiver Program;

(C) The Arkansas Future Grant Program, Arkansas Teacher Academy Scholarship Program, or Arkansas National Guard Tuition Waiver Program; and

(D) Institutional aid.

(c) A postsecondary institution shall report to the division, no later than September 30 of each year, the total amount of federal aid, state aid, and other aid a student receives if the student receives an award from a division 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~~ utilizing the stacking order under subdivision (b)(6) of this section.

(2) The division shall credit the excess state aid funds to the appropriate division fund or trust account.

(e) A student awarded state aid shall disclose all state aid, federal aid, and other aid to:

(1) The division if the division awards state aid to the student; and

(2) A postsecondary institution that awards state aid or other aid to the student.

(f) Except as otherwise provided by federal law, federal aid will be applied before state aid governed by this section.

SECTION 62. Arkansas Code Title 6, Chapter 80, Subchapter 1, is amended to add an additional section to read as follows:

6-80-110. Utilization of the Classic Learning Test.

(a) A state-supported institution of higher education shall accept the Classic Learning Test (CLT) examination to the same extent the state-supported institution of higher education accepts the ACT test and the SAT test.

(b)(1) Subsection (a) of this section shall apply to admissions criteria and eligibility criteria for state-funded financial assistance programs.

(2) Subsection (a) of this section does not apply to institutional assistance programs.

SECTION 63. Arkansas Code Title 6, Chapter 80, is amended to add an additional subchapter to read as follows:

Subchapter 2 – Residency Classification for State-funded Scholarships at State-Supported Institutions of Higher Education

6-80-201. Title.

This subchapter shall be known and may be cited as the “Residency Classification for State-funded Scholarships at State-Supported Institutions of Higher Education”.

6-80-202. Residency classification for state-funded scholarships administered by Division of Higher Education.

(a)(1) In making decisions about the residency classification or reclassification of a student for state-funded scholarship purposes, unless otherwise specified by statute, a student shall be classified as an in-state resident for state-funded scholarship purposes only if the student:

(A) Will graduate or has graduated from an Arkansas public school, private school, or home school within nine (9) months of enrolling in the state-supported institution of higher education; or

(B) Established legal residency in Arkansas by:

(i) Meeting the requirements of rules promulgated by the Division of Higher Education; and

(ii) Being physically present in Arkansas for at least six (6) continuous months with the intent to remain in Arkansas.

(2) Mere physical presence in Arkansas is not sufficient to establish residency or demonstrate future intent under subdivision (a)(1)(B) of this section.

(3) A student who claims in-state residency for purposes of state-funded scholarship eligibility but receives Free Application for Federal Student Aid (FAFSA) verification that he or she is not an in-state resident shall have his or her state-funded scholarship amount reduced or rescinded to reflect the change in residency status.

(b) A member of the United States Armed Forces who is stationed in

Arkansas under military orders, along with his or her dependents, is entitled to classification as an in-state resident for state-funded scholarship purposes.

6-80-203. Duties and responsibilities of students.

(a)(1) It is the responsibility of each student, at the time of registration, to seek the proper residency classification for state-funded scholarship purposes.

(2) A participating state-supported institution of higher education shall have a process for a student to appeal a residency classification for state-funded scholarship purposes.

(b)(1) A student who knowingly gives false information to establish residency classification for state-funded scholarship purposes shall be subject to dismissal by the state-supported institution of higher education.

(2) An initial classification as an out-of-state student shall not limit the right of a student to be reclassified later as a resident of Arkansas for state-funded scholarship purposes provided that the student can establish proof of legal residence in Arkansas.

SECTION 64. Arkansas Code § 6-81-604(6), concerning the grade point average required for grant recipients under the Teacher Opportunity Program, is amended to read as follows:

(6) Grant recipients shall maintain a cumulative grade point average in their college work of no less than 2.5 on a 4.0 scale or maintain an appropriate equivalent as determined by the Division of Higher Education.

SECTION 65. Arkansas Code § 6-81-605 is amended to read as follows:

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~~ for additional education in:

(A) Science, technology, engineering, or mathematics fields;

(B) Computer science;

(C) Literacy or reading;

(D) Prekindergarten education; or

(E) Special education.

(2) If funds are available after all awards are made under subdivision (a)(1) of this section, then additional ~~reimbursements~~ awards may be made in accordance with the following:

(A)(i) A teacher may receive an award if seeking dual licensure in an additional subject area different from the subject area in which the teacher is currently teaching, if he or she does not have a current license for the additional subject area.

(ii) The amount of the award and the number of recipients selected by the Division of Higher Education is contingent on the appropriation and availability of funding for that purpose;

(B)(i) A student may receive reimbursements up to but not in excess of the cost of his or her student fees, books, and instructional supplies at the public institution of higher education in this state assessing the highest rate of student fees an award that shall not exceed the cost of tuition and fees required to complete six (6) semester credit hours per academic year.

(ii) For purposes of award disbursement under subdivision (a)(2)(B)(i) of this section, an academic year begins in the fall semester and runs through the summer semester;

~~(B) The reimbursements made to one (1) student 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 Division of Higher Education are met.

(b)(1) The Division of Higher Education shall determine priorities for ~~awarding reimbursements~~ awards if there are more applicants than funds available.

(2) Priorities shall be determined in coordination with the Division of Elementary and Secondary Education and shall be based on the needs of the state.

SECTION 66. Arkansas Code § 6-81-607(3), concerning the definition of "student" under the Teacher Opportunity Program, is amended to add an additional subdivision to read as follows:

(F) Any other subject matter as determined by the

division.

SECTION 67. Arkansas Code §§ 6-81-608 and 6-81-609 are repealed.

~~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 Division 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.~~

~~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 Division of Elementary and Secondary 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 Division 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 Dual Licensure Incentive 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 Division of Elementary and Secondary 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 Dual Licensure Incentive Program.~~

~~(2) The number of classroom teacher participants each year shall be determined by the amount of funding available for the Dual Licensure Incentive Program and the limitations set under this section.~~

SECTION 68. Arkansas Code § 6-82-108(e), concerning funding of the Academic Support Scholarship with certain remaining funds, is amended to read as follows:

(e) A scholarship under this section shall be funded with any funds remaining after the division allocates sufficient funding to award *Arkansas Academic Challenge Scholarships under § 6-85-201 et seq.*, *Arkansas Workforce Challenge Scholarships under § 6-85-301 et seq.*, and ~~*Arkansas Concurrent Challenge Scholarships under § 6-85-401 et seq.*~~ *ACCESS to Acceleration Scholarships under § 6-85-701 et seq.*

SECTION 69. Arkansas Code § 6-82-302 is amended to read as follows:

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 Division of Higher Education shall examine the student's high school records, competitive examination scores, and demonstrated leadership capabilities;

(2) "Approved institution" means a ~~public~~ state-supported institution of higher education 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 Southern Regional Education Board, 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~~ professional programs not offered in the state under the Arkansas Health Education Grant Program;

(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) "Eligible student" means a legal resident of the State of Arkansas as defined by the Division 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 a high school in this state, for Arkansas Governor's Scholars; or~~

~~(ii) A high school, for Arkansas Governor's Distinguished Scholars;~~

(5) "Exemplary academic achievement" means a student that achieves exemplary performance, as determined by the division, based on one

(1) or more of the following:

(A) SAT, CLT, or ACT;

(B) High school grade point average;

(C) High school rank upon graduation;

(D) Associate degree upon graduation from high school; and

(E) Being a recipient of a diploma of distinction;

~~(5)-(A)~~(6)(A) “Extraordinary academic ability” means:

(i) Achievement of a superscore, as defined by § 6-85-204, of 32 or above on the ACT or a score of 1410 or above on the SAT; and

(ii) ~~Either:~~

~~(a) For students graduating from high school after December 31, 2001, A student graduating from high school with an 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~~ The ACT superscores and SAT scores shall be earned by ~~December 31~~ February 28 prior to the application deadline in order for the scores to be considered by the ~~Division of Higher Education~~ division for a scholarship award;

~~(6)(7)~~ “Full-time student” means a legal 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 ~~Division of Higher Education~~ division;

~~(7)(8)~~ “Scholarship” means an award to an eligible student for matriculation in an approved institution in the State of Arkansas; and

~~(8)(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.

SECTION 70. Arkansas Code § 6-82-306, concerning eligibility under the Arkansas Governor’s Scholars Program, is amended to add additional subsections to read as follows:

(e) An Arkansas Governor's Scholar shall be chosen based on a student who:

(1) Graduates with a diploma of distinction based on criteria determined by the State Board of Education; or

(2) Earns an associate degree upon completing the summer term immediately following graduation from high school.

(f) An Arkansas Governor's Scholar shall be chosen based on a student exhibiting the highest exemplary academic achievement if:

(1) There are no recipients of the Arkansas Governor's Distinguished Scholarship; or

(2) An Arkansas Governor's Scholar under subsection (e) of this section is not chosen in any given Arkansas county.

SECTION 71. Arkansas Code § 6-82-310, concerning the use of funds under the Arkansas Governor's Scholars Program, is amended to add an additional subsection to read as follows:

(c) In the event the number of students who qualify for a scholarship under this subchapter during an academic year exceeds the amount of funds appropriated to the Higher Education Grants Fund Account for purposes of funding students who qualify for a scholarship under this subchapter during the given academic year, the excess awards that qualify for distribution under this subchapter shall be funded with any net proceeds from the state lottery remaining after the Division of Higher Education allocates sufficient funding to award the following scholarships at levels equivalent to the awards made in the previous academic year:

(1) Arkansas Academic Challenge Scholarship, § 6-85-201 et seq.; and

(2) Arkansas Workforce Challenge Scholarship, § 6-85-301 et seq.

SECTION 72. Arkansas Code Title 6, Chapter 82, Subchapter 5, is repealed.

~~Subchapter 5 — Children of Law Enforcement Officers, Etc.~~

~~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) “Division of Community Correction employee” means any employee of the Division 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)(A) “Emergency medical services personnel” means an individual licensed by the Department of Health at any level established by the rules adopted by the State Board of Health under the Emergency Medical Services Act, § 20-13-201 et seq., and authorized to perform those services set forth in the rules.~~

~~(B) This shall include without limitation an emergency medical technician, advanced emergency medical technician, paramedic, emergency medical services instructor, or emergency medical services instructor trainer;~~

~~(4) “Firefighter” means any firefighter 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 Division of Arkansas State Police;~~

~~(6) "State correction employee" means any employee of the Division of Correction or the Arkansas Correctional School District who becomes subject to injury through contact with inmates or parolees of the Division 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 Department of Transportation 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 Department of Parks, Heritage, 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.~~

~~6-82-502. Rules.~~

~~The Arkansas Higher Education Coordinating Board is directed and empowered to promulgate rules as necessary to administer benefits awarded under this subchapter by the Arkansas State Claims Commission.~~

~~6-82-503. Entitlement.~~

~~(a) If any Arkansas law enforcement officer, full-time or volunteer firefighter, emergency medical technician, state highway employee, state correction employee, Division 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, firefighter, emergency medical technician, state highway employee, state correction employee, Division 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(c) 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.~~

~~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, firefighter, emergency medical technician, state highway employee, state correction employee, Division of Community Correction employee, state parks employee, teacher, or state forestry employee; or~~

~~(2) The law enforcement officer, firefighter, emergency medical technician, state highway employee, state correction employee, Division of Community Correction employee, state parks employee, teacher, or state forestry employee or the spouse of the law enforcement officer, firefighter, emergency medical technician, state highway employee, state correction employee, Division 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, firefighter, emergency medical technician, state highway employee, state correction employee, Division 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, firefighter, emergency medical technician, state highway employee, state correction employee, Division 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, firefighter, emergency medical technician, state highway employee, state correction employee, Division of Community Correction employee, state parks employee, teacher, or state forestry employee.~~

~~(c) In order for a stepchild under nineteen (19) years of age 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, firefighter, emergency medical technician, state highway employee, state correction employee, Division 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, firefighter, emergency medical technician, state highway employee, state correction employee, Division of Community Correction employee, state parks employee, teacher, or state forestry employee; and~~

~~(2) The stepchild must have received more than one-half ($\frac{1}{2}$) of his or her financial support from the law enforcement officer, firefighter, emergency medical technician, state highway employee, state correction employee, Division 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, firefighter, emergency medical technician, state highway employee, state correction employee, Division 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, firefighter, emergency medical technician, state highway employee, state correction employee, Division 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, firefighter, emergency medical technician, state highway employee, state correction employee, Division of Community Correction employee, teacher, state parks employee, or state forestry employee; and~~

~~(2) The stepchild must have received more than one-half ($\frac{1}{2}$) of his or her financial support from the law enforcement officer, firefighter, emergency medical technician, state highway employee, state correction employee, Division 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, firefighter, emergency medical technician, state highway employee, state correction employee, Division 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.~~

~~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 twenty-three (23) years of age 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.~~

~~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 Division of Higher Education on forms provided by the division.~~

~~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 Division of Higher Education.~~

SECTION 73. Arkansas Code § 6-82-601(i)(3), concerning funding by certain scholarships related to tuition waivers for dependents of certain veterans, is amended to read as follows:

~~(3) *Arkansas Concurrent Challenge Scholarship, § 6-85-401 et seq*~~
ACCESS to Acceleration Scholarship, § 6-85-701 et seq.

SECTION 74. Arkansas Code § 6-82-1802(c), concerning continuing eligibility under the Arkansas Future Grant Program, is amended to read as follows:

(c) A student may continue to be eligible until the student has:

(1) Received the grant for ~~five (5) academic semesters~~ a maximum of seventy-five (75) course credit hours in which the student is enrolled;

(2) Obtained an associate degree; or

(3) Failed to maintain satisfactory academic progress, as determined by the approved institution of higher education in which the student is enrolled; ~~or~~

~~(4) Failed to complete the mentoring or community service requirements under § 6-82-1804.~~

SECTION 75. Arkansas Code § 6-82-1803(a)(1), concerning distribution of the Arkansas Future Grant Program, is amended to read as follows:

(a)(1) An Arkansas Future Grant shall be ~~in~~:

(A) Distributed in accordance with the Division of Higher Education's stacking policy under § 6-80-105; and

(B) In an amount equal to the tuition, fees, and other charges incurred by a student who meets the requirements under § 6-82-1802 to attend an approved institution of higher education less the amount the student receives in:

~~(A) State supported student financial assistance;~~

~~(B) Federal student financial assistance; and~~

~~(C) Private scholarships.~~

SECTION 76. Arkansas Code § 6-82-1804(a), concerning the written agreement requirements for a recipient of an Arkansas Future Grant, is amended to read as follows:

(a)(1) A student who receives an Arkansas Future Grant shall enter into a written agreement with the Division of Higher Education to:

~~(1)(A) Receive monthly mentoring from a mentor from an organization determined by the Division of Higher Education.~~

~~(B) A mentor under subdivision (a)(1)(A) of this section shall:~~

~~(i) Receive annual mentoring training;~~

~~(a) Developed by the Division of Higher Education; and~~

~~(b) Provided by a local volunteer group approved by the Division of Higher Education; and~~

~~(ii) Certify to the Division of Higher Education that at least one (1) time each semester the mentor has provided mentoring services by telephone, email, or in person to each student he or she is mentoring;~~

~~(2)(A) Complete at least ten (10) hours of community service each semester the student receives a grant.~~

~~(B)(i) A student may select a community service project that meets requirements developed by the Division of Higher Education.~~

~~(ii) An approved institution of higher education may provide community services opportunities designed to benefit the approved institution of higher education community or the broader local community.~~

~~(C) A student shall certify his or her community service to the approved institution of higher education by the last regular day of the semester the student received the grant; and~~

~~(3)(A) Reside reside in this state for ~~three (3) consecutive years~~ six (6) months and be employed beginning within six (6) months after receiving an associate degree or a certification.~~

~~(B)(2)~~ The Division of Higher Education may defer the requirement under ~~subdivision (a)(3)(A)~~ subdivision (a)(1) of this section if:

~~(i)(A)~~ The Division of Higher Education, in consultation with the Division of Workforce Services, determines that there was no employment position available that would reasonably enable the student to meet this requirement; or

~~(ii)(B)~~ Special circumstances as determined by the Division of Higher Education exist.

~~(C)(3)~~ After the period of deferral, the student shall begin or resume working in this state or become subject to repayment under subsection (b) of this section.

SECTION 77. Arkansas Code § 6-82-2205(b), concerning the requirements for an eligible postsecondary institution under the Arkansas Teacher Academy Scholarship Program, is amended to read as follows:

(b) An eligible postsecondary institution may+

~~(1) Develop~~ develop a portfolio of teacher preparation programs to offer as part of its Arkansas Teacher Academy+;

~~(2)(A) Give priority to students in grades eleven (11) and twelve (12).~~

~~(B) However, an eligible postsecondary institution shall not exclude students in grades nine (9) and ten (10) from its Arkansas Teacher Academy; and~~

~~(3)(A) Use scholarship funds that exceed the cost of tuition and fees at the eligible postsecondary institution to support its Arkansas Teacher Academy costs.~~

~~(B) However, if a scholarship awarded to an academy attendee under this subchapter does not cover the eligible postsecondary institution's tuition and fees after an academy attendee receives all other~~

~~financial gifts, financial aid, and grants, the eligible postsecondary institution shall not charge an academy attendee awarded a scholarship under this subchapter the remaining difference.~~

SECTION 78. Arkansas Code § 6-82-2206(a), concerning scholarships under the Arkansas Teacher Academy Scholarship Program, is amended to read as follows:

(a)(1) ~~An~~ Effective beginning the 2025-2026 academic year, an eligible postsecondary institution shall provide to each academy attendee who is accepted and enrolled in its Arkansas Teacher Academy program an annual scholarship, not to exceed the maximum award as determined by the Division of Higher Education each eligible semester, up to the actual cost of the:

(A) Eligible postsecondary institution's tuition and fees for a maximum of:

(i) Two (2) academic years, ~~or~~ four (4) academic semesters, not to exceed sixty (60) academic hours, or completion of the program for an academy attendee who is a graduate student enrolled in the Arkansas Teacher Academy at the eligible postsecondary institution;

(ii) Four (4) academic years, ~~or~~ eight (8) academic semesters, not to exceed one hundred twenty (120) academic hours, or completion of the program for an undergraduate student enrolled in the Arkansas Teacher Academy at the eligible postsecondary institution; and

(iii)(a) Two (2) academic years, ~~or~~ four (4) academic semesters, not to exceed sixty (60) academic hours, or completion of the program for a community college student enrolled in the Arkansas Teacher Academy at the eligible postsecondary institution.

(b) A student who qualifies under subdivision (a)(1)(A)(iii)(a) of this section shall receive continued eligibility for two (2) additional academic years or four (4) additional academic semesters at a postsecondary institution that is an undergraduate institution; and

(B) Obtainment of a teaching license issued by the State Board of Education, including without limitation the actual cost of one (1) exam required for obtaining a teaching license issued by the state board.

(2) A scholarship distributed to an academy attendee under subdivision (a)(1) of this section shall be distributed ~~only after all other financial gifts, financial aid, and grants have been received by an academy~~

~~attendee enrolled in an Arkansas Teacher Academy at an eligible postsecondary institution in accordance with the division's scholarship stacking policy under § 6-80-105.~~

(3) In compliance with the division's scholarship stacking policy, a student's total financial aid package, which can include multiple scholarships, shall not exceed the recognized cost of attendance at a state-supported institution of higher education.

SECTION 79. Arkansas Code Title 6, Chapter 82 is amended to add additional *subchapters* to read as follows:

Subchapter 25 – Arkansas Heroes Scholarship Act

6-82-2501. Title.

This subchapter shall be known and may be cited as the "Arkansas Heroes Scholarship Act".

6-82-2502. Purpose.

The purpose of this subchapter is to create a scholarship to be known as the "Arkansas Heroes Scholarship" that honors the heroic efforts of the individuals who served as Arkansas's heroes and their families.

6-82-2503. Definitions.

(a) As used in this subchapter:

(1) "Arkansas hero" means:

(A) One (1) of the following who suffers a fatal injury or wound 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:

(i) A law enforcement officer;

(ii) A firefighter;

(iii) An emergency medical technician;

(iv) A state highway employee;

(v) A state correction employee;

(vi) A Division of Community Correction employee;

(vii) A state parks employee; or

(viii) A state forestry employee;
(B) A disabled veteran;
(C) A prisoner of war;
(D) A recipient of a Medal of Honor or Purple Heart;
(E) A person declared to be missing in action or killed in action;

(F) A person killed on ordnance delivery;
(G) A teacher who suffers a fatal injury or wound or becomes permanently and totally disabled as a result of injuries or wounds that occurred due to an act of violence at a public school or open-enrollment charter school in this state;

(2) "Child" means a natural child, an adopted child, or a stepchild who is eligible to receive a scholarship under this subchapter;

(3) "Disabled veteran" means a person who has been awarded either:

(A) United States Armed Forces disability retirement benefits; or

(B) Special monthly compensation by the United States Department of Veterans Affairs for service-connected, one hundred percent (100%) total and permanent disability;

(4) "Division of Community Correction employee" means an employee of the Division of Community Correction who suffers a fatal injury or wound or becomes permanently and totally disabled because of an injury or wound that occurred through contact with a parolee, probationer, or center resident;

(5)(A) "Emergency medical services personnel" means an individual licensed by the Department of Health at any level established by the rules adopted by the State Board of Health under the Emergency Medical Services Act, § 20-13-201 et seq., and authorized to perform the services under the rules.

(B) "Emergency medical services personnel" includes without limitation:

(i) An emergency medical technician;

(ii) An advanced emergency medical technician;

(iii) A paramedic;

(iv) An emergency medical services instructor; and

(v) An emergency medical services instructor trainer;

(6) "Firefighter" means a firefighter employed on a full-time or volunteer status while actually engaged in the performance of his or her duties;

(7) "Law enforcement officer" means a:

(A) Constable, including without limitation all elected constables of any beat of any county within the state while actually engaged in the performance of his or her duties concerning the criminal laws of the county and state;

(B) Game warden, including without limitation all appointed game wardens employed by the state on a full-time status while actually engaged in his or her duties concerning the game laws of this state;

(C)(i) Municipal and a state-supported institution of higher education police officer, including without limitation all law enforcement officers of any municipality or state-supported institution of higher education who are regular duty personnel on full-time status.

(ii) Municipal and a state-supported institution of higher education police officer does not include auxiliary officers or those serving on a temporary or part-time status;

(D)(i) Sheriff or deputy sheriff, including without limitation all law enforcement officers on full-time status on a regular basis serving the sheriff's department of any county.

(ii) Sheriff or deputy sheriff does not include a deputy sheriff who is:

(a) Engaged in administrative or civil duty;

or

(b) Serving in a temporary capacity or part-time status;

(E) State highway patrolman, including without limitation any law enforcement officer, regardless of department or bureau, of the Division of Arkansas State Police; and

(F) Any other person employed by the State of Arkansas or a political subdivision of the State of Arkansas as an appointed law enforcement officer who is responsible for the prevention and detection of crime and the enforcement of the criminal, traffic, or highway laws of this

state;

(8) "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;

(9)(A) "Prisoner of war", "person missing in action", "person killed in action", and "person killed on ordnance delivery" mean a person who:

(i) Was a legal 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

(ii) Who, while serving in the United States Armed Forces, has been declared to be a prisoner of war, a person missing in action, a person killed in action as established by the United States Secretary of Defense after January 1, 1960, or a person killed on ordnance delivery.

(B) "Prisoner of war", "person missing in action", "person killed in action", and "person killed on ordnance delivery" apply whether or not capture or death occurred during a declared war or as a result of hostile action.

(C) A death as a result of injuries received while serving in the United States Armed Forces or Arkansas National Guard is only covered by this subdivision (a)(9) if the death occurred while on active duty or state active duty;

(10) "State correction employee" means an employee of the Division of Correction or the Arkansas Correctional School District who becomes subject to injury through contact with an inmate or parolee of the Division of Correction;

(11) "State forestry employee" means an employee of the Arkansas Forestry Commission who is actively engaged in his or her duties of fighting forest fires;

(12) "State highway employee" means an employee of the Arkansas Department of Transportation 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;

(13) "State parks employee" means an employee of the Department

of Parks, Heritage, and Tourism who is a commissioned law enforcement officer or emergency response employee while actively engaged in the performance of his or her duties;

(14) "Teacher" means a person employed by a public school district for the purpose of providing direct instruction to students and whose employment requires state certification; and

(15) "United States Armed Forces dependent" means a spouse, a child born to or conceived by, an adopted child, a child under legal guardianship, or a stepchild of a:

(A) Disabled veteran;

(B) Prisoner of war; or

(C) Person declared to be:

(i) Missing in action;

(ii) Killed in action; or

(iii) Killed on ordnance delivery.

6-82-2504. Rules.

The Division of Higher Education may promulgate rules to implement this subchapter.

6-82-2505. Eligibility for Arkansas Heroes Scholarship.

(a) Eligibility for the Arkansas Heroes Scholarship requires one (1) of the following:

(1) The student has been a legal Arkansas resident for at least one (1) year before submitting a scholarship application;

(2) The student was born before the date of the death or disability of the Arkansas hero; or

(3) The Arkansas hero or the spouse of the Arkansas hero was pregnant with the student at the time of the death or disability of the Arkansas hero.

(b) In order for an adopted child to be eligible to receive a scholarship benefit:

(1) The adopted child is required to have been adopted before the date of the death or disability of the Arkansas hero; or

(2) The adopted child's adoption process is required to have begun before the date of the death or disability of the Arkansas hero.

(c) In order for a stepchild under nineteen (19) years of age to be eligible to receive a scholarship benefit, the stepchild under nineteen (19) years of age shall have:

(1) Been listed as a dependent on the federal and state income tax returns of the Arkansas hero in each of the five (5) income years immediately before the date of the death or disability of the Arkansas hero; and

(2) Received more than one-half (1/2) of his or her financial support from the Arkansas hero in each of the five (5) income years immediately before the date of the death or disability of the Arkansas hero.

(d) In order for a stepchild who is nineteen (19) years of age or older to be eligible to receive a scholarship benefit, the stepchild who is nineteen (19) years or older shall have:

(1) Been listed as a dependent on the federal and state income tax returns of the Arkansas hero in at least five (5) of the eight (8) income years immediately before the date of the death or disability of the Arkansas hero; and

(2) Received more than one-half (1/2) of his or her financial support from the Arkansas hero in at least five (5) of the eight (8) income years immediately before the date of the death or disability of the Arkansas hero.

(e) If a covered public employee, as defined in § 21-5-701, or his or her heirs did not file for the available death or disability benefit but were otherwise eligible to receive the death or disability benefit 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 before his or her twenty-first birthday a claim to receive the provided educational scholarship benefit if:

(1) The student is considered a United States Armed Forces dependent as provided in § 6-82-2503; or

(2) The student is a dependent of an Arkansas hero who suffered fatal injuries or wounds or becomes 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.

(f) Scholarship benefits may not accrue under this subchapter to a person if the wound or injury suffered by an Arkansas hero is self-inflicted or if the death of an Arkansas hero is self-inflicted.

(g) Unless subsection (e) of this section 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 disability benefit is awarded by the commission under the provisions of § 21-5-701 et seq.

6-82-2506. Eligibility restrictions.

(a) A child shall not be entitled to receive benefits under this subchapter during any semester or quarter when the child has reached twenty-six (26) years of age on or before the first day of the semester or quarter.

(b)(1) A spouse shall not be eligible to receive benefits under this subchapter if he or she remarries.

(2) The benefits under this subchapter shall cease at the end of the semester in which the spouse is currently enrolled at the time of the marriage.

6-82-2507. Applications.

(a) An eligible student shall apply to the Division of Higher Education for benefits under this subchapter.

(b) A United States Armed Forces dependent shall:

(1) Apply for the Survivors' and Dependents' Educational Assistance program, 38 U.S.C. § 3500 et seq., as it existed on January 1, 2025, with the United States Department of Veterans Affairs; and

(2) Provide the division with proof of:

(A) Acceptance into the Survivors' and Dependents' Educational Assistance program; or

(B) Noneligibility for the Survivors' and Dependents' Educational Assistance program following application.

(c) Except as provided under subsection (d) of this section, a dependent of an Arkansas hero, upon his or her being accepted for enrollment into any private, nonprofit institution of higher education in the State of Arkansas or a state-supported institution of higher education in the State of Arkansas, may obtain his or her first 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)(1) The state assistance under this subchapter is limited to the tuition, fees, or other charges that exceed the amount of monetary benefits 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.

(2) 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 subchapter, the dependent may obtain a bachelor's degree free of tuition, fees, or other charges from a private, nonprofit institution of higher education in this state or a state-supported institution of higher education in this state.

(3) However, the state assistance awarded to a dependent attending a private, nonprofit institution of higher education in this state shall not exceed the maximum amount of state assistance awarded to dependents attending a state-supported institution of higher education in this state.

(e) Once a person qualifies as a dependent under this subchapter, 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 subchapter.

(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 division.

(g) In compliance with the division's scholarship stacking policy, a student's total financial aid package, which can include multiple scholarships, shall not exceed the recognized cost of attendance at a state-supported institution of higher education.

(h) In the event the number of students who qualify for a scholarship under this subchapter during an academic year exceeds the amount of funds appropriated to the Higher Education Grants Fund Account for purposes of funding students who qualify for scholarship under this subchapter during the given academic year, the excess awards that qualify for distribution under this subchapter shall be funded with any net proceeds from the state lottery remaining after the division allocates sufficient funding to award the following scholarships at levels equivalent to the awards made in the previous academic year:

(1) Arkansas Academic Challenge Scholarship, § 6-85-201 et seq.;
and

(2) Arkansas Workforce Challenge Scholarship, § 6-85-301 et seq.

6-82-2508. Scholarship funding and continued eligibility.

(a) The state assistance under this subchapter is limited to the tuition, fees, and other expenses required for the first bachelor's degree earned by the dependent.

(b)(1) An eligible dependent 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 institution of higher education or technical institute of his or her choice within this state.

(2) The eligible dependent may take up to four (4) semesters, or the equivalent thereof, at a technical institute.

(c) 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 Division of Higher Education.

(d) If a recipient fails to meet eligibility criteria, he or she may apply for state assistance under this subchapter a maximum of one (1) additional time once eligibility is reestablished.

Subchapter 26 – Governor's Higher Education Transition Scholarship Program

6-82-2601. Title.

This subchapter shall be known and may be cited as the "Governor's Higher Education Transition Scholarship Program".

6-82-2602. Definitions.

As used in this subchapter:

(1) "Eligible student" means an Arkansas student with a disability admitted to a qualifying program at a state-supported institution of higher education;

(2) "Inclusive Higher Education Accreditation Council" means the independent, nonprofit accreditation agency for postsecondary programs for students with an intellectual disability; and

(3) "Qualifying program" means a postsecondary education program for a student with an intellectual disability that is accredited by the Inclusive Higher Education Accreditation Council.

6-82-2603. Creation – Eligibility.

(a) There is established the Governor's Higher Education Transition Scholarship Program within the Division of Higher Education.

(b) An eligible student who receives a Governor's Higher Education Transition Scholarship shall maintain eligibility for up to eight (8) continuous semesters or until credentialing is obtained, whichever occurs first.

6-82-2604. Scholarship awards.

(a) Scholarship awards under this subchapter are contingent upon availability of funds.

(b)(1) Scholarship awards shall not exceed the institutional cost of attendance.

(2) The maximum award amount per qualifying semester that a student may receive is two thousand five hundred dollars (\$2,500).

(3) A scholarship award may be applied to tuition, mandatory fees, programmatic fees, room and board, supplies, and extended support services.

6-82-2605. Rules.

The Division of Higher Education may promulgate rules to govern administration of the Governor's Higher Education Transition Scholarship Program, including without limitation application forms and deadlines.

SECTION 80. Arkansas Code § 6-85-207 is amended to read as follows:

6-85-207. Additional eligibility requirements for traditional students.

In addition to the basic eligibility requirements of § 6-85-206, an applicant is eligible as a traditional student if the applicant either:

(1)(A) Graduated from an Arkansas public high school and has a

minimum superscore of nineteen (19) on the ACT or the equivalent score on an ACT equivalent; or

(B) Upon graduation from high school:

(i) Achieved a minimum grade point average of 3.0 during high school;

(ii) Completed at least one (1) college readiness assessment; and

(iii)(a) Achieved a diploma of merit as defined in rules promulgated by the State Board of Education.

(b) Proof of attainment of the diploma of merit under subdivision (1)(B)(iii)(a) of this section shall be submitted with the student's scholarship application; or

(2)(A) 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, and either+ meets the requirements defined in subdivision (1) of this section.

~~(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) Literacy;~~

~~(3) Achieved a minimum superscore of nineteen (19) on the ACT or the equivalent score on an ACT equivalent and+~~

(B) A student shall also meet one (1) of the following eligibility requirements:

~~(A) Graduated (i) Graduate from a private high school, an out-of-state high school, or a home school high school; or~~

~~(B)(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 high school equivalency diploma approved by the Adult Education Section instead of receiving a diploma; or~~

~~(4)(iii) Meets one (1) of the following criteria:~~

~~(A)~~(a) Was enrolled at an institution of higher education in the immediately preceding academic year as a full-time, first-time freshman;

~~(B)~~(b) Did not receive a scholarship under this subchapter as a full-time, first-time freshman;

~~(C)~~(c) Successfully completed with the equivalent of a minimum letter grade of "D" at least twenty-seven (27) semester hours of courses as a full-time, first-time freshman; ~~and~~ or

~~(D)~~(d) Achieved a postsecondary grade point average of at least 2.5 on a 4.0 scale as a full-time, first-time freshman.

SECTION 81. Arkansas Code § 6-85-212(d)(1)(A), concerning scholarship award amounts under the Arkansas Academic Challenge Scholarship Program, is amended to read as follows:

(d)(1)(A) Subject to the availability of net revenue, 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) ~~One~~ Two thousand dollars ~~(\$1,000)~~ (\$2,000) for a recipient who has earned less than twenty-seven (27) semester credit hours;

(ii) Four thousand dollars (\$4,000) for a recipient who has earned at least twenty-seven (27) semester credit hours but less than fifty-seven (57) semester credit hours;

(iii) Four thousand dollars (\$4,000) for a recipient who has earned at least fifty-seven (57) semester credit hours but less than eighty-seven (87) semester credit hours; and

(iv)(a) Five thousand dollars (\$5,000) for a recipient who has earned at least eighty-seven (87) semester credit hours but no more than one hundred twenty (120) semester credit hours unless the recipient is enrolled in a baccalaureate degree program that requires more than one hundred twenty (120) semester credit hours, but not more than one hundred thirty (130) semester credit hours, as provided under § 6-61-232, then up to the number of credit hours required to complete the baccalaureate program.

(b) A recipient shall receive no more than one (1) year of the scholarship provided under subdivision (d)(1)(A)(iv)(a) of

this section unless the recipient is enrolled in a baccalaureate degree program that requires more than one hundred twenty (120) semester credit hours as provided under § 6-61-232.

(c)(1) A recipient who is eligible to receive the scholarship under subdivision (d)(1)(A)(iv)(a) of this section may receive the scholarship while enrolled in a semester as a part-time student.

(2) The scholarship amount for the semester in which a recipient is enrolled as a part-time student under subdivision (d)(1)(A)(iv)(c)(1) of this section ~~shall~~ may be prorated by the number of credit hours in which the recipient is enrolled.

SECTION 82. Arkansas Code § 6-85-212(d)(1)(C), concerning the authorization for an applicant to elect for earned semester credit hours to be only those earned after graduating from high school or obtaining a high school equivalency diploma, is repealed.

~~(C)(i) An applicant may elect for the earned semester credit hours under subdivision (d)(1)(A) of this section to be only those semester credit hours earned after graduating from high school or obtaining a high school equivalency diploma approved by the Adult Education Section.~~

~~(ii) If an applicant makes the election under subdivision (d)(1)(C)(i) of this section, any semester credit hours earned through concurrent credit or any other method before graduating high school or obtaining a high school equivalency diploma approved by the Adult Education Section shall not be counted as earned semester credit hours for the purposes of determining a recipient's scholarship award amount under subdivision (d)(1)(A) of this section.~~

SECTION 83. Arkansas Code § 6-85-212(d)(3), concerning scholarship award amounts for certain institutions of higher education under the Arkansas Challenge Scholarship Program, is amended to read as follows:

(3) Subject to the availability of net revenue, the scholarship award for an academic year for a full-time student enrolled in one (1) of the following institutions of higher education is ~~one~~ two thousand dollars ~~(\$1,000)~~ (\$2,000) for the first year and three thousand dollars (\$3,000) for the second year:

(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 school of nursing.

SECTION 84. Arkansas Code § 6-85-302 is amended to read as follows:

6-85-302. Definitions.

As used in this subchapter:

(1) "Academic year" means a measure of the academic work to be accomplished by a student through the fall, spring, and summer semesters, or the equivalent of the fall, spring, and summer semesters, in that order;

(2) "Approved institution of higher education" means an institution of higher education approved by the Division of Higher Education to participate in the Arkansas Workforce Challenge Scholarship Program and that is:

(A) A state-supported two-year or four-year ~~college or university~~ institution of higher education; ~~or~~

(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) A public or private vocational-technical school that is:

(i) Included on the Workforce Innovation and Opportunity Act eligible training provider list;

(ii) Qualified to receive approval for veterans' education benefits from the United States Department of Veterans Affairs; or

(iii) Included on the State Board of Private Career Education list; and

~~(2)(A)~~(3)(A) "Certificate program" means a program that is offered or made available to a student by an approved institution of higher education that leads to the obtainment of a certification or license, including without limitation a program operated or sponsored by a third party.

(B) "Certificate program" is determined by the division and includes without limitation the following:

(i) Advanced manufacturing;

(ii) Health care;

- (iii) Information technology;
- (iv) Construction trades; or
- (v) Logistics and distribution.

(C) The credit hours or contact hours awarded for a certificate program may include credit hours or contact hours that are not creditable toward an associate or a baccalaureate degree.

SECTION 85. Arkansas Code § 6-85-304(a), concerning student eligibility under the Arkansas Workforce Challenge Scholarship Program, is amended to read as follows:

(a) A student is eligible to receive an Arkansas Workforce Challenge Scholarship for an academic year if the student applies to ~~the Division of Higher Education~~ an approved institution of higher education by a date determined by the Division of Higher Education preceding the academic year and:

(1) Is ~~an~~ a legal Arkansas resident or, if the student is less than twenty-one (21) years of age, either the student or one (1) parent of the student is ~~an~~ a legal Arkansas resident;

(2) Meets either of the following requirements:

(A) Graduated from a:

- (i) Public high school in Arkansas or another state;
- (ii) Private high school in Arkansas or another

state; or

(iii) Home school under § 6-15-501 et seq. or recognized by another state; or

(B) Received a high school equivalency diploma approved by the Adult Education Section or another state;

(3) Is not receiving a scholarship under the Arkansas Academic Challenge Scholarship Program, § 6-85-201 et seq.; and

(4) Is accepted for admission in a program of study at an approved institution of higher education that leads to an associate degree or a certificate program in one (1) of the ~~following~~ high-demand fields+ described in § 6-85-302.

~~(A) Industry;~~

~~(B) Health care; and~~

~~(C) Information technology; and~~

~~(5)(A) Whose program of study or certificate program will result in the student's being qualified to work in an occupation identified by the Division of Workforce Services under subdivision (a)(5)(B)(i) of this section.~~

~~(B)(i) The Division of Workforce Services shall provide annually to the Division of Higher Education by March 1 a list that identifies the five (5) most in demand occupations in this state in each high demand field under subdivision (a)(4) of this section that require the completion of a program of study that leads to an associate degree or a certificate program.~~

~~(ii) The Division of Workforce Services shall publish on its website the list under subdivision (a)(5)(B)(i) of this section and data supporting the list.~~

SECTION 86. Arkansas Code § 6-85-305 is amended to read as follows:

6-85-305. Distribution – Award amounts.

(a)(1) If funds are available, the Division of Higher Education shall distribute Arkansas Workforce Challenge Scholarships to all students who meet the requirements under § ~~6-85-304~~ 6-85-302(2).

(2) Up to five million dollars (\$5,000,000) shall be allocated for students eligible under § 6-85-302(2)(C).

~~*(b)(1) The division shall distribute scholarships from the funds available in an equal amount to every student eligible to receive a scholarship under this subchapter.*~~

~~*(2) Except as provided in subsection (c) of this section, the The maximum scholarship award a student may receive in an academic year shall be the lesser of: program costs or three thousand dollars (\$3,000).*~~

~~*(A) Eight hundred dollars (\$800); or*~~

~~*(B)(i) The cost of the certificate program or program of study.*~~

~~*(ii) The cost of a certificate program or program of study shall include:*~~

~~*(a) Tuition, fees, or other charges;*~~

~~*(b) Textbooks or other course materials; and*~~

~~*(c) Equipment needed for a course.*~~

~~*(3)(2) The scholarship awards may be used for expenses included*~~

in the cost of the certificate program or program of study.

~~(4)(3)~~ A scholarship under this section shall be only for the academic year for which it is awarded.

(4)(A) The division shall collaborate with the Office of Skills Development to establish the criteria to be used to determine the eligibility of students under § 6-85-302(1)(C), which shall be included in rules promulgated by the Arkansas Higher Education Coordinating Board.

(B) The office shall:

(i) Use the criteria established under subdivision (b)(4)(A) of this section to determine the eligibility of students under § 6-85-302(1)(C); and

(ii) Provide the necessary information regarding eligible students to the division to enable the division to distribute scholarship awards on behalf of an eligible student directly to the approved institution of higher education.

~~(c)(1) If the division has funds remaining after making the distributions under subsection (b) of this section, the division shall distribute scholarships to students for the summer term of the academic year.~~

~~(2) If funds are available under subdivision (c)(1) of this section, a student shall apply for a scholarship for a summer term by a date determined by the division preceding the summer term.~~

~~(3)(A) The division shall distribute scholarships for a summer term in the same manner as under subsection (b) of this section.~~

~~(B) Scholarships for a summer term may be used in the same manner as under subsection (b) of this section.~~

~~(4) A student who received a scholarship under subsection (b) of this section may also receive a scholarship for a summer term.~~

(d)(c) The division shall disburse all scholarship awards on behalf of an eligible student directly to the approved institution of higher education.

SECTION 87. Arkansas Code Title 6, Chapter 85, Subchapter 3, is amended to add an additional section to read as follows:

6-85-308. Reporting requirements.

(a) An approved institution of higher education accepting funds under this subchapter shall submit an annual report to the Division of Higher Education that includes without limitation the following:

(1) Individual student program completer information as defined by the division; and

(2) Student information required to be provided to the division under § 6-85-216.

(b) An approved institution of higher education accepting funds under this subchapter shall submit an annual report to the Office of Skills Development that includes without limitation the following:

(1) Individual student program completer information as defined by the division; and

(2) Student information required to be provided to the division under § 6-85-216.

SECTION 88. Arkansas Code Title 6, Chapter 85, Subchapter 4 is repealed.

~~Subchapter 4 — Arkansas Concurrent Challenge Scholarship Program~~

~~6-85-401. — Creation.~~

~~There is created the Arkansas Concurrent Challenge Scholarship Program.~~

~~6-85-402. — Definitions.~~

~~As used in this subchapter:~~

~~(1) “Approved institution of higher education” means an institution of higher education that:~~

~~(A) Is approved by the Division of Higher Education to participate in the Arkansas Concurrent Challenge Scholarship Program;~~

~~(B) Offers at least a fifty percent discount on the tuition and mandatory fees of an endorsed concurrent enrollment course or certificate program to a student who is enrolled in an endorsed concurrent enrollment course or certificate program, unless other opportunities are provided that lower the tuition and mandatory fees below fifty percent (50%); and~~

~~(C) Is a:~~

~~(i) State-supported two-year or four-year college or university; or~~

~~(ii) Private, nonprofit two-year or four-year college or university that has its primary headquarters located in Arkansas and that~~

~~is eligible to receive Title IV federal student aid funds;~~

~~(2)(A) — “Certificate program” means a program that is offered or made available to a student by an approved institution of higher education that leads to the obtainment of a certification or license.~~

~~(B) — “Certificate program” does not include a program that is operated or sponsored by a third party;~~

~~(3)(A) — “Endorsed concurrent enrollment course” means the same as defined in § 6-16-1202.~~

~~(B) — “Endorsed concurrent enrollment course” does not include a program that is operated or sponsored by a third party; and~~

~~(4) — “Student” means a person in grade ten (10), grade eleven (11), or grade twelve (12) who is enrolled at a:~~

~~(A) — Public high school in Arkansas;~~

~~(B) — Private high school in Arkansas; or~~

~~(C) — Home school, as defined in § 6-15-501.~~

~~6-85-403. Eligibility.~~

~~(a) — A student is eligible to receive an Arkansas Concurrent Challenge Scholarship under this subchapter for an academic semester or academic year during which the student is enrolled in an endorsed concurrent enrollment course or certificate program if the student:~~

~~(1) — Is an Arkansas resident or, if the student is less than twenty one (21) years of age, either the student or one (1) parent of the student is an Arkansas resident; and~~

~~(2)(A) — Submits a student success plan as described under § 6-15-2911(b).~~

~~(B) — The student success plan required under subdivision (a)(2)(A) of this section for a student who is enrolled in an endorsed concurrent enrollment course or certificate program shall:~~

~~(i) — Be prepared in consultation with:~~

~~(a) — School personnel, the student, and the student’s parent or legal guardian; or~~

~~(b) — A college advisor; and~~

~~(ii) — Include:~~

~~(a) — An endorsed concurrent enrollment course or certificate program that is relevant to the student’s success plan; and~~

~~(b) Measures that ensure the successful completion of the endorsed concurrent enrollment course or certificate program in which the student is enrolled.~~

~~(b)(1) A student successfully completes an endorsed concurrent enrollment course or a course taken towards the completion of a certificate program under this subchapter if he or she completes the course or program and receives a minimum grade point average of 2.5.~~

~~(2)(A) A student who fails to successfully complete an endorsed concurrent enrollment course or a course taken towards the completion of a certificate program under this subchapter shall:~~

~~(i) Retain eligibility for a scholarship under this subchapter; and~~

~~(ii) Enroll in no more than one (1) endorsed concurrent enrollment course or course required for the completion of a certificate program for the first semester following the semester in which the student failed to successfully complete an endorsed concurrent enrollment course or course taken towards the completion of a certificate program.~~

~~(B) However, if a student fails an endorsed concurrent enrollment course or a course taken towards the completion of a certificate program under this subchapter a second time, the student shall be ineligible to reapply for a scholarship under this subchapter.~~

~~(c) A student whose enrollment in a vocational center is reimbursable under § 6-51-305 is not eligible for a scholarship under this subchapter.~~

~~6-85-404. Funding.~~

~~(a) For an academic year, Arkansas Concurrent Challenge Scholarships under this subchapter shall be funded with any funds remaining after the Division of Higher Education allocates sufficient funding to award Arkansas Workforce Challenge Scholarships under § 6-85-301 et seq., at a level equivalent to the awards made in the previous academic year.~~

~~(b)(1) A scholarship under this subchapter shall not be awarded for an academic year if:~~

~~(A) Less than two hundred fifty thousand dollars (\$250,000) is available under subsection (a) of this section; or~~

~~(B) The division received a loan from the Scholarship Shortfall Reserve Trust Account under § 23-115-802 for the Arkansas Academic~~

~~Challenge Scholarship Program, § 6-85-201 et seq., for the previous academic year.~~

~~(2) Any funds under subsection (a) of this section that are not disbursed for scholarships under this subchapter shall be carried over to the next academic year to be used for scholarships under this subchapter.~~

~~6-85-405. Distribution—Award amounts.~~

~~(a) If funds are available, the Division of Higher Education shall award Arkansas Concurrent Challenge Scholarships to all students who meet the requirements under this subchapter.~~

~~(b)(1) The division shall distribute scholarships from the funds available in an equal amount to every approved institution of higher education that has enrolled a student eligible to receive a scholarship under this subchapter.~~

~~(2) The maximum scholarship award a student may receive in an academic year shall be the lesser of:~~

~~(A)(i) Five hundred dollars (\$500).~~

~~(ii) A scholarship awarded to a student who is eligible under § 6-85-403 shall be awarded in the amount of one hundred twenty-five dollars (\$125) for each endorsed concurrent enrollment credit course or certificate program in which the eligible student is enrolled, up to two (2) endorsed concurrent enrollment credit courses or certificate programs per semester; or~~

~~(B) The tuition and mandatory fees of the endorsed concurrent credit course or certificate program.~~

~~(3) A scholarship granted under this section may be awarded in addition to any funds received for the enrollment in an endorsed concurrent enrollment course under § 6-16-1204(e)(3).~~

~~(4) Unless a student's high school or community-based program provides financial assistance for the cost of tuition and mandatory fees for an endorsed concurrent enrollment course or certificate program, the remaining cost of tuition and mandatory fees for an endorsed concurrent enrollment course or certificate program is the responsibility of the eligible student who is enrolled in the endorsed concurrent enrollment course or certificate program.~~

~~6-85-406. Rules.~~

~~The Division of Higher Education shall promulgate rules to implement this subchapter.~~

SECTION 89. Arkansas Code § 6-85-502(b)(5), concerning the amount of net proceeds to fund scholarships under the Arkansas Concurrent Challenge Scholarship Program used for the lottery fiscal impact statement, is amended to read as follows:

(5) *The amount of net proceeds that was necessary to fund scholarships under the ~~Arkansas Concurrent Challenge Scholarship Program, § 6-85-401~~ ACCESS to Acceleration Scholarship Program, § 6-85-701 et seq., during each of the last four (4) years immediately preceding the year in which the proposed bill is being considered, listed separately;*

SECTION 90. Arkansas Code § 6-85-502(b)(7)(C), concerning the comparison of the year with the highest amount of net proceeds necessary to fund scholarships under the Arkansas Concurrent Challenge Scholarship Program, is amended to read as follows:

(C) *The year with the highest amount of net proceeds necessary to fund scholarships under the ~~Arkansas Concurrent Challenge Scholarship Program, § 6-85-401~~ ACCESS to Acceleration Scholarship Program, § 6-85-701 et seq., as determined under subdivision (b)(5) of this section; and*

SECTION 91. Arkansas Code Title 6, Chapter 85, is amended to add an additional subchapter to read as follows:

Subchapter – 7 ACCESS to Acceleration Scholarship Program

6-85-701 Creation.

There is created the ACCESS to Acceleration Scholarship Program.

6-85-702. Definitions.

As used in this subchapter:

(1) “Approved institution of higher education” means an institution of higher education that:

(A) Is approved by the Division of Higher Education to participate in the ACCESS to Acceleration Scholarship Program; and

(B) Is a:

(i) State-supported two-year or four-year institution of higher education; or

(ii) Private, nonprofit two-year or four-year institution of higher education that has its primary headquarters located in Arkansas and is eligible to receive Title IV federal student aid funds;

(2)(A) "Certificate program" means a program that is offered or made available to a student by an approved institution of higher education that leads to the obtainment of a certification or license.

(B) "Certificate program" does not include a program that is operated or sponsored by a third party;

(3)(A) "Concurrent credit course" means a course as defined in § 6-16-1202.

(B) "Concurrent credit course" does not include a program that is operated or sponsored by a third party; and

(4) "Eligible student" means a student enrolled in grade ten (10), grade eleven (11), or grade twelve (12) at a public high school in Arkansas.

6-85-703. Eligibility.

(a) A student is eligible to be awarded a scholarship under this subchapter for an academic semester or academic year during which the student is enrolled in a concurrent credit course if the student is eligible to enroll in the concurrent credit course under § 6-16-1204(a)(5).

(b) Scholarship funds shall not be used for courses at a vocational center that are reimbursable under § 6-51-305.

(c) A student is not eligible for a scholarship under this subchapter if the student is enrolled in a concurrent credit course that may be funded under § 6-18-2506.

6-85-704. Funding.

(a) For an academic year, the following shall be used to fund scholarships under this subchapter:

(1) Excess funding returned to the Office of the Arkansas Lottery under § 6-85-212(d)(2)(B)(i) from the previous academic year; and

(2) Net proceeds remaining from the previous academic year after

the office transfers the funds requested by the Division of Higher Education under § 23-115-801(c)(2).

(b)(1) A scholarship under this subchapter shall not be awarded for an academic year if:

(A) Less than two hundred fifty thousand dollars (\$250,000) is available under subsection (a) of this section; or

(B) The division received a loan from the Scholarship Shortfall Reserve Trust Account under § 23-115-802 for the Arkansas Academic Challenge Scholarship Program, § 6-85-201 et seq., for the previous academic year.

(2) Any funds under subsection (a) of this section that are not disbursed for scholarships under this subchapter shall be carried over to the next academic year to be used for scholarships under this subchapter.

6-85-705. Distribution – Award Amounts.

(a) If funds are available, the Division of Higher Education shall award an ACCESS to Acceleration Scholarship to all eligible students who meet the requirements under this subchapter.

(b)(1) The division shall distribute scholarships from the funds available in an equal amount to every approved institution of higher education that has enrolled a student eligible to receive a scholarship under this subchapter.

(2) A scholarship awarded to a student who is eligible under § 6-85-703 shall be awarded in the amount of sixty-five dollars (\$65) per concurrent credit course hour in which the eligible student is enrolled, for a maximum of fifteen (15) concurrent credit course hours per semester.

(3) The maximum scholarship amount a student may be awarded in an academic year, including summer semesters, shall not exceed two thousand dollars (\$2,000).

(c)(1) A state-supported two-year or four-year institution of higher education may offer a reduced tuition rate for concurrent credit courses offered by the state-supported institution of higher education to eligible students under this subchapter.

(2) The reduction in tuition under subdivision (c)(1) of this section shall not be considered an institutional scholarship.

6-85-706. Rules.

The Division of Higher Education may promulgate rules to implement this subchapter.

SECTION 92. Arkansas Code § 20-7-133(b)(2), concerning members appointed by the Commissioner of Elementary and Secondary Education to the Child Health Advisory Committee, is amended to read as follows:

(2) The Commissioner of Elementary and Secondary Education shall appoint:

(A) One (1) member to represent the Division of Elementary and Secondary Education;

(B) One (1) member to represent the ~~Arkansas School Nutrition Association~~ Child Nutrition Unit;

(C) One (1) member ~~to represent the Arkansas School Nurses Association~~ public school nurse;

(D) One (1) member ~~to represent the Arkansas Association of Educational Administrators~~ public school administrator;

(E) One (1) member ~~to represent the Arkansas PTA~~ of a public school district parent-teacher association;

(F) One (1) member ~~to represent the Arkansas School Boards Association~~ of a public school district board of directors;

(G) One (1) member ~~to represent the Arkansas Association of School Business Officials~~ public school district finance employee; and

(H) One (1) member ~~to represent the Arkansas Association for Supervision and Curriculum Development~~ Two (2) public school licensed educators; and

~~(I) One (1) member who is a classroom teacher.~~

SECTION 93. Arkansas Code § 21-5-703(c), concerning the award of scholarship benefits by the Arkansas State Claims Commission during the claims process for death benefits of public employees, is amended to read as follows:

(c) Unless ~~§ 6-82-504(e)~~ § 6-82-2505(e) is applicable, the commission shall award any scholarship benefit provided by the provisions of ~~§ 6-82-501 et seq.~~ the Arkansas Heroes Scholarship Act, § 6-82-2501 et seq., at the same time any death benefit or total and permanent disability benefit is awarded

under this subchapter.

SECTION 94. Arkansas Code § 21-5-705(a)(3)(B)(i), concerning the maximum death benefit paid to a designated beneficiary or survivor of certain public employees killed in the line of duty, is amended to read as follows:

(i) A maximum of one hundred fifty thousand dollars (\$150,000) per individual death, including educational benefits provided in § ~~6-82-501 et seq.~~ the Arkansas Heroes Scholarship Act, § 6-82-2501 et seq.; and

SECTION 95. The introductory language of Arkansas Code § 23-115-801(b)(1)(B)(i), concerning the establishment of the Lottery Scholarship Trust Account by the Office of the Arkansas Lottery, is amended to read as follows:

(B)(i) The office shall establish the Lottery Scholarship Trust Account as required under subdivision (b)(1)(A) of this section to fund the Arkansas Academic Challenge Scholarship Program, § 6-85-201 et seq., the Arkansas Workforce Challenge Scholarship Program, § 6-85-301 et seq., ~~the Arkansas Concurrent Challenge Scholarship Program, § 6-85-401~~ ACCESS to Acceleration Scholarship Program, § 6-85-701 et seq., and any other scholarship funded with net proceeds from the state lottery in a financial institution into which the office shall transfer:

SECTION 96. Arkansas Code § 23-115-801(b)(1)(B)(ii) and (iii), concerning funding of the Lottery Scholarship Trust Account by the Office of the Arkansas Lottery, are amended to read as follows:

(ii) The funds transferred by the office into the Lottery Scholarship Trust Account for the Arkansas Academic Challenge Scholarship Program, § 6-85-201 et seq., the Arkansas Workforce Challenge Scholarship Program, § 6-85-301 et seq., ~~the Arkansas Concurrent Challenge Scholarship Program, § 6-85-401~~ ACCESS to Acceleration Scholarship Program, § 6-85-701 et seq., and any other scholarship funded with net proceeds from the state lottery as established under subdivision (b)(1)(B)(i) of this section shall be used for:

- (a) Arkansas Workforce Challenge Scholarships;
- (b) Any management fees charged by the

financial institution to manage the trust account for scholarship award supplements;

(c) ~~Arkansas Concurrent Challenge Scholarships~~
ACCESS to Acceleration Scholarships;

(d) Arkansas Academic Challenge Scholarships;

and

(e) Any other scholarship funded with net proceeds from the state lottery.

(iii) Annually, the office shall transfer to the division the funds from the previous academic year, if any, that were transferred by the office into the Lottery Scholarship Trust Account established under subdivision (b)(1)(B)(i) of this section for distribution of Arkansas Academic Challenge Scholarships, Arkansas Workforce Challenge Scholarships, ~~Arkansas Concurrent Challenge~~ ACCESS to Acceleration Scholarships, and any other scholarship funded with net proceeds from the state lottery.

SECTION 97. Arkansas Code § 23-115-801(c)(1)(C), concerning the scholarship programs that the Commissioner of the Division of Higher Education is required to certify funding for, is amended to read as follows:

(C) ~~The Arkansas Concurrent Challenge Scholarship Program, § 6-85-401 et seq.,~~ ACCESS to Acceleration Scholarship Program, § 6-85-701 et seq.; and

SECTION 98. Arkansas Code § 23-115-801(c)(2)(D)(ii)(a), concerning the distribution to recipients if funds remain after award of all scholarships under the Arkansas Academic Challenge Program, is amended to read as follows:

(ii)(a) If available funds remain after the award of all scholarships under the Arkansas Academic Challenge Program, § 6-85-201 et seq., then the available funds shall be distributed to recipients of scholarships under the Arkansas Workforce Challenge Scholarship Program, § 6-85-301 et seq., ~~and the Arkansas Concurrent Challenge Scholarship Program, § 6-85-401~~ ACCESS to Acceleration Scholarship Program, § 6-85-701 et seq., on a pro rata basis as determined by the division.

SECTION 99. Arkansas Code § 23-115-802(c)(2) and (3), concerning the

process of using the Scholarship Shortfall Reserve Trust Account if net proceeds are insufficient to meet scholarship funding, are amended to read as follows:

(2) Except as provided in subdivision (c)(3)(B) of this section, the Scholarship Shortfall Reserve Trust Account shall not be drawn upon to fund Arkansas Workforce Challenge Scholarships under the Arkansas Workforce Challenge Scholarship Program, § 6-85-301 et seq., ~~Arkansas Concurrent Challenge Scholarships under the Arkansas Concurrent Challenge Scholarship Program, § 6-85-401~~ ACCESS to Acceleration Scholarship Program, § 6-85-701 et seq., or any other scholarship funded with net proceeds from the state lottery.

(3)(A) Determining the maximum amount of loans from the Scholarship Shortfall Reserve Trust Account to the Arkansas Academic Challenge Scholarship Program, § 6-85-201 et seq., the Arkansas Workforce Challenge Scholarship Program, § 6-85-301 et seq., ~~or the Arkansas Concurrent Challenge Scholarship Program, § 6-85-401~~ ACCESS to Acceleration Scholarship Program, § 6-85-701 et seq., is the prerogative of the General Assembly. This is usually accomplished by the General Assembly's delineating such funding allocations for the various scholarship programs, with the approval of the Administrative Rules Subcommittee of the Legislative Council and through oversight as required by law by the Lottery Oversight Subcommittee of the Legislative Council. Further, the General Assembly determines that the Division of Higher Education may operate more efficiently with some flexibility, therefore it is both necessary and appropriate that the General Assembly maintain oversight by requiring prior approval of the Legislative Council or the Joint Budget Committee as provided by this section.

(B) If the division determines it is necessary to borrow from the Scholarship Shortfall Reserve Trust Account to fund scholarships under the Arkansas Academic Challenge Scholarship Program, § 6-85-201 et seq., the Arkansas Workforce Challenge Scholarship Program, § 6-85-301 et seq., ~~or the Arkansas Concurrent Challenge Scholarship Program, § 6-85-401 et seq.,~~ ACCESS to Acceleration Scholarship Program, § 6-85-701 et seq., the division shall first obtain review and approval from the Legislative Council or, if the General Assembly is in session, the Joint Budget Committee.

SECTION 100. DO NOT CODIFY. SEVERABILITY CLAUSE. If any provision of

this act or the application of this act to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of this act that can be given effect without the invalid provision or application, and to this end, the provisions of this act are declared severable.

/s/M. Shepherd