

1 State of Arkansas
2 94th General Assembly
3 Regular Session, 2023
4

A Bill

HOUSE BILL 1428

5 By: Representatives C. Cooper, McAlindon, Haak, Long
6 By: Senator M. McKee
7

For An Act To Be Entitled

9 AN ACT TO CREATE THE EQUAL ACCESS TO COLLEGE AND
10 CAREER READINESS ASSESSMENTS ACT; AND FOR OTHER
11 PURPOSES.
12
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Subtitle

14 TO CREATE THE EQUAL ACCESS TO COLLEGE AND
15 CAREER READINESS ASSESSMENTS ACT.
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19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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21 SECTION 1. Arkansas Code Title 6, Chapter 15, is amended to add an
22 additional subchapter to read as follows:

23 Subchapter 32 – Equal Access to College and Career Readiness Assessments Act
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25 6-15-3201. Title.

26 This subchapter shall be known and may be cited as the "Equal Access to
27 College and Career Readiness Assessments Act".
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29 6-15-3202. Legislative findings.

30 The General Assembly finds that:

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

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

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



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

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

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

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

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

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

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

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22 6-15-3203. Definitions.

23 As used in this subchapter:

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

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

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

30 (ii) An Advanced Placement test.

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

33 (i) The ACT test;

34 (ii) The SAT;

35 (iii) The Preliminary Scholastic Aptitude Test;

36 (iv) The National Merit Scholarship Qualifying Test;

1 and

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

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

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

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

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

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 16 6-15-3204. Equal access to college and career readiness assessments at
 17 public schools.

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

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

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

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

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

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