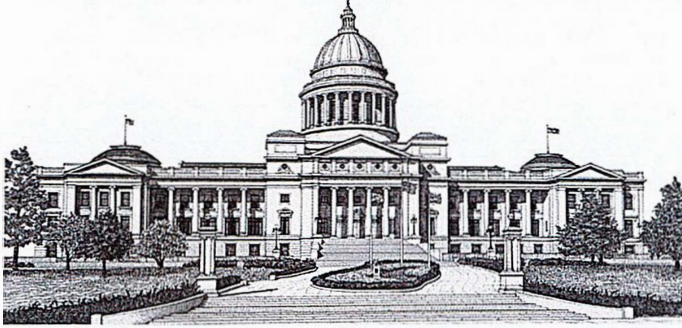


ARKANSAS REGISTER

Transmittal Sheet

Use only for **FINAL** and **EMERGENCY RULES**



Secretary of State

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For Office

Use Only:

Effective Date _____ Code Number _____

Name of Agency Arkansas Department of Education

Department Division of Higher Education

Contact Courtney Salas-Ford E-mail courtney.salas-ford@ade.arkansas.gov Phone (501) 682-4227

Statutory Authority for Promulgating Rules Ark. Code Ann. § 6-80-109

Rule Title: Division of Higher Education Rules Governing the Washington Center Scholarship

Intended Effective Date

(Check One)

☐ Emergency (ACA 25-15-204)

☒ 10 Days After Filing (ACA 25-15-204)

☐ Other _____
(Must be more than 10 days after filing date.)

Legal Notice Published

Final Date for Public Comment

Reviewed by Legislative Council

Adopted by State Agency

Date

Jul. 28, 2024

Aug. 28, 2024

Oct. 17, 2024

Sep. 9, 2024

Electronic Copy of Rule e-mailed from: (Required under ACA 25-15-218)

Alisha Price

alisha.price@ade.arkansas.gov

Oct. 21, 2024

Contact Person

E-mail Address

Date

CERTIFICATION OF AUTHORIZED OFFICER

I Hereby Certify That The Attached Rules Were Adopted
In Compliance with the Arkansas Administrative Act. (ACA 25-15-201 et. seq.)

Signature

(501) 682-7590

alisha.price@ade.arkansas.gov

Phone Number

E-mail Address

Associate Legal Counsel

Title

Oct. 21, 2024

Date

**DIVISION OF HIGHER EDUCATION RULES GOVERNING THE
WASHINGTON CENTER SCHOLARSHIP
Effective Date: October 31, 2024**

1.00 PROGRAM DEFINITIONS

- 1.01 “Approved Institution” means a public-supported or private non-profit postsecondary institution with its primary headquarters located in Arkansas that is eligible to receive Title IV Federal student aid funds and will grant academic credit for participation in The Washington Center Internship Program located in Washington, D.C.
- 1.02 “The Washington Center” means the center for Internships and Academic Seminars which is an educational nonprofit organization that provides selected students’ opportunities to work and learn for academic credit.

2.00 ORGANIZATION AND STRUCTURE

- 2.01 The Division of Higher Education shall administer The Washington Center Scholarship Program within the policies set by the Higher Education Coordinating Board.
 - 2.01.1 All formal communications shall be addressed to or signed by the Commissioner of the board or his or her designee.
- 2.02 The Commissioner of the division has the final responsibility for selecting scholarship recipients pursuant to the provisions of Act 1046 of 2007 and subsequent legislation, and program rules and regulations.
- 2.03 The division shall follow the provisions of the Administrative Procedures Act when functioning under Act 1046 of 2007 and subsequent legislation.

3.00 SCHOLARSHIP ELIGIBILITY CRITERIA

- 3.01 An applicant must meet the following requirements to be eligible to receive The Washington Center Scholarship:
 - 3.01.1 The applicant must be a citizen of the United States or a permanent resident alien.
 - 3.01.1.1 If the recipient is not a U.S. citizen, but a permanent resident alien, the recipient must attach a copy of the permanent resident alien card to the application.

- 3.01.2 The applicant must be an Arkansas resident, as defined by the Division of Higher Education, for at least six (6) months prior to the application deadline.
- 3.01.3 The applicant must be enrolled in an approved Arkansas institution that will grant academic credit for participation in The Washington Center Internship Program located in Washington D.C.
- 3.01.4 The applicant must meet The Washington Center admission requirements and be selected by the center to participate in their internship program.
- 3.01.5 The applicant must be enrolled in a program of study, which leads to or is creditable towards a baccalaureate degree.
 - 3.01.5.1 These programs include baccalaureate degree programs and associate degree programs.

4.00 APPLICATION PROCESS

4.01 Application

- 4.01.1 Students must submit an application to The Washington Center for Internships and Academic Seminars and be accepted for participation in The Washington Center's internship program.
 - 4.01.1.1 The application and program information can be obtained from the center at:
 - 4.01.1.1.1 www.twc.edu;
 - 4.01.1.1.2 By calling (800) 486-8921; or
 - 4.01.1.1.3 Students can contact the campus coordinator at the institution he or she attends.

4.02 Submission of Application and Application Deadline

- 4.02.1 Students must submit an application to the center by the established deadline dates.
 - 4.02.1.1 The student is responsible for submitting the application and all supporting documentation to the center in a timely manner.
 - 4.02.1.2 The center will provide a list of all eligible applicants to the Division of Higher Education.

4.03 Amount of Scholarship

4.03.1 The amount of the scholarship for each recipient will be up to \$6,000 for one-time participation in the center's internship program.

4.03.1.1 This includes participating during summer terms, semesters, quarters, or their equivalent, at the postsecondary institution in which the student is enrolled.

4.04 Award Notification and Prioritization of Awards

4.04.1 The center will select the students that are eligible to participate in the internship program for each applicable academic period.

4.04.1.1 Of those selected students, the division will determine the number of students to be awarded the scholarship based on the amount of funds available.

4.04.1.2 In the event there are more eligible applicants than funds available, awards will be determined on a first-come, first-serve basis.

4.04.1.3 Those not awarded will be given priority for participation in a subsequent term.

4.04.2 The division shall notify each eligible applicant of his or her award.

4.04.2.1 The award notice includes:

4.04.2.1.1 The student's name;

4.04.2.1.2 Address;

4.04.2.1.3 Last four (4) digits of the social security number; and

4.04.2.1.4 The scholarship amount the student is eligible to receive.

4.04.2.2 The award notice also explains the division's disbursement procedures and conditions.

4.04.3 The division shall have the authority to exercise professional judgment in the determination of awards when special circumstances exist.

4.04.3.1 The division may give special consideration of applications when extraordinary circumstances occur beyond the applicant's

control that may prohibit the student from meeting the exact guidelines as stated.

- 4.04.3.2 For such special consideration, the student must provide documentation, as required by the division, to demonstrate that circumstances were beyond the student's control.

5.00 SCHOLARSHIP PAYMENT POLICIES

5.01 Limits of Payment

5.01.1 The Division of Higher Education shall disburse scholarship funds to The Washington Center located in Washington, D.C.

5.01.2 Scholarship funds will be disbursed upon receipt of an invoice from the center.

5.01.2.1 Invoices from the center will be accepted by the division no later than ten (10) days after the beginning of each term.

5.01.2.2 The division shall send funds to the center via electronic funds transfer or state warrant.

5.02 Refunds

5.02.1 The Washington Scholarship Program may be entitled to a refund of the scholarship amount if the recipient of the scholarship:

5.02.1.1 Withdraws;

5.02.1.2 Drops out;

5.02.1.3 Is expelled; or

5.02.1.4 Does not meet the terms of the internship program outlined by the center during the payment period.

5.02.1.4.1 If this situation occurs, the student will owe funds to the center, who in turn shall return the refund to the division.

5.03 Overpayment

5.03.1 The division will report the amount of the scholarship each student receives to the Arkansas institution where the student is enrolled.

- 5.03.2 If the award of a Washington Scholarship results in an overpayment to the student according to the state law governing the stacking of scholarships, the institution shall follow division policy in reducing the student's financial package to prevent the student from receiving funds above the federally recognized cost of attendance.

6.00 SCHOLARSHIP RECIPIENT'S RESPONSIBILITIES

- 6.01 It is the recipient's responsibility to notify the Division of Higher Education of any change in status within twenty-one (21) days.
- 6.02 Changes in status will include, but not limited to, the following:
 - 6.02.1 Change in name;
 - 6.02.2 Change in permanent address; or
 - 6.02.3 Change in institution.
- 6.03 Failure to notify the division of a change of status may affect future eligibility.

FINANCIAL IMPACT STATEMENT

PLEASE ANSWER ALL QUESTIONS COMPLETELY.

DEPARTMENT _____
BOARD/COMMISSION _____
PERSON COMPLETING THIS STATEMENT _____
TELEPHONE NO. _____ **EMAIL** _____

To comply with Ark. Code Ann. § 25-15-204(e), please complete the Financial Impact Statement and email it with the questionnaire, summary, markup and clean copy of the rule, and other documents. Please attach additional pages, if necessary.

TITLE OF THIS RULE _____

1. Does this proposed, amended, or repealed rule have a financial impact?
Yes No

2. Is the rule based on the best reasonably obtainable scientific, technical, economic, or other evidence and information available concerning the need for, consequences of, and alternatives to the rule?
Yes No

3. In consideration of the alternatives to this rule, was this rule determined by the agency to be the least costly rule considered? Yes No

If no, please explain:

(a) how the additional benefits of the more costly rule justify its additional cost;

(b) the reason for adoption of the more costly rule;

(c) whether the reason for adoption of the more costly rule is based on the interests of public health, safety, or welfare, and if so, how; and

(d) whether the reason for adoption of the more costly rule is within the scope of the agency's statutory authority, and if so, how.

4. If the purpose of this rule is to implement a *federal* rule or regulation, please state the following:
(a) What is the cost to implement the federal rule or regulation?

Current Fiscal Year

General Revenue _____
 Federal Funds _____
 Cash Funds _____
 Special Revenue _____
 Other (Identify) _____

Total _____

Next Fiscal Year

General Revenue _____
 Federal Funds _____
 Cash Funds _____
 Special Revenue _____
 Other (Identify) _____

Total _____

(b) What is the additional cost of the state rule?

Current Fiscal Year

General Revenue _____
 Federal Funds _____
 Cash Funds _____
 Special Revenue _____
 Other (Identify) _____

Total _____

Next Fiscal Year

General Revenue _____
 Federal Funds _____
 Cash Funds _____
 Special Revenue _____
 Other (Identify) _____

Total _____

5. What is the total estimated cost by fiscal year to any private individual, private entity, or private business subject to the proposed, amended, or repealed rule? Please identify those subject to the rule, and explain how they are affected.

Current Fiscal Year

\$ _____

Next Fiscal Year

\$ _____

6. What is the total estimated cost by fiscal year to a state, county, or municipal government to implement this rule? Is this the cost of the program or grant? Please explain how the government is affected.

Current Fiscal Year

\$ _____

Next Fiscal Year

\$ _____

7. With respect to the agency's answers to Questions #5 and #6 above, is there a new or increased cost or obligation of at least one hundred thousand dollars (\$100,000) per year to a private individual, private entity, private business, state government, county government, municipal government, or to two (2) or more of those entities combined?

Yes No

If yes, the agency is required by Ark. Code Ann. § 25-15-204(e)(4) to file written findings at the time of filing the financial impact statement. The written findings shall be filed simultaneously with the financial impact statement and shall include, without limitation, the following:

- (1) a statement of the rule's basis and purpose;
- (2) the problem the agency seeks to address with the proposed rule, including a statement of whether a rule is required by statute;
- (3) a description of the factual evidence that:
 - (a) justifies the agency's need for the proposed rule; and
 - (b) describes how the benefits of the rule meet the relevant statutory objectives and justify the rule's costs;
- (4) a list of less costly alternatives to the proposed rule and the reasons why the alternatives do not adequately address the problem to be solved by the proposed rule;
- (5) a list of alternatives to the proposed rule that were suggested as a result of public comment and the reasons why the alternatives do not adequately address the problem to be solved by the proposed rule;
- (6) a statement of whether existing rules have created or contributed to the problem the agency seeks to address with the proposed rule and, if existing rules have created or contributed to the problem, an explanation of why amendment or repeal of the rule creating or contributing to the problem is not a sufficient response; and
- (7) an agency plan for review of the rule no less than every ten (10) years to determine whether, based upon the evidence, there remains a need for the rule including, without limitation, whether:
 - (a) the rule is achieving the statutory objectives;
 - (b) the benefits of the rule continue to justify its costs; and
 - (c) the rule can be amended or repealed to reduce costs while continuing to achieve the statutory objectives.