

1 **State of Arkansas**
2 **78th General Assembly**
3 **Regular Session, 1991**
4 **By: Representative Argue**

A BILL ACT 1000 OF 1991
HOUSE BILL 1590

For An Act To Be Entitled

8 "AN ACT TO REQUIRE THE STATE BOARD OF HIGHER EDUCATION TO
9 DEVELOP GUIDELINES FOR A PROGRAM OF ACADEMIC CLEMENCY; AND
10 FOR OTHER PURPOSES."

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

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14 SECTION 1. PURPOSE. The General Assembly of the State of Arkansas
15 hereby acknowledges that too often, persons enrolled in institutions of higher
16 education do not appreciate the value of their postsecondary educational
17 experience and, following a brief history of poor and failing grades, such
18 persons decide to pursue other worldly pursuits outside the academic world.
19 The General Assembly further finds that following a considerable passage of
20 time, the appreciation for postsecondary educational opportunities increases
21 in such persons to the point that they seek to return to the institution only
22 to find that the grades they acquired during their earlier experience act as a
23 barrier and hinderance to their academic progress. The purpose of this act is
24 to provide a mechanism for institutions of higher education to *disregard* the
25 *records of such persons which prevent or impede their academic success.*

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27 SECTION 2. (a) *Beginning with the 1991-92 school year, the State Board*
28 *of Higher Education in cooperation with the institutions of higher education,*
29 *shall develop guidelines which may be incorporated into the policies of the*
30 *colleges and universities that provide for academic clemency for undergraduate*
31 *students. Under this program of academic clemency, a student returning to a*
32 *college or university after a separation of a defined number of years may*
33 *petition the appropriate dean to have previously earned grades and credits*
34 *removed from the calculations of their cumulative grade point average. Grades*
35 *and credits earned at any other college or university shall be disregarded*
36 *under this program.*

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(b) A student enrolled in an institution of higher education on the date of the passage of this act shall be eligible for academic clemency.

SECTION 3. All provisions of this act of a general and permanent nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code Revision Commission shall incorporate the same in the Code.

SECTION 4. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are declared to be severable.

SECTION 5. All laws and parts of laws in conflict with this act are hereby repealed.

SECTION 6. EMERGENCY. It is hereby found and determined by the Seventy-Eighth General Assembly that a statewide effort is being made to adequately train the workforce for the year 2000; that persons who did not consider postsecondary education important following their high school graduation, drop out of postsecondary education only to return at a later stage in their life when they have grown to appreciate such; that a "fresh start" should be given such students to permit them to improve their academic records upon their return to postsecondary education. Therefore, an emergency is hereby declared to exist and this act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after its passage and approval.

/s/James B. Argue, Jr.

APPROVED: 4/8/91