

# RECEIVED

NOV 14 2023  
BUREAU OF  
LEGISLATIVE RESEARCH

~~Arkansas National Guard NGAR Regulation 621-203~~

~~Education~~

~~ARKANSAS NATIONAL GUARD—TUITION  
WAIVER PROGRAM~~

~~Military Department of Arkansas Office of the Adjutant General Camp Joseph T. Robinson  
North Little Rock, Arkansas 72199-9600 01 January 2022~~

~~UNCLASSIFIED~~

~~Deputy Chief of Staff, Personnel Arkansas National Guard  
Camp Joseph T. Robinson  
North Little Rock, AR 72199-9600~~

~~Arkansas NGAR Regulation 621-203~~

~~Effective 01 January 2022~~

~~Education  
ARKANSAS NATIONAL GUARD TUITION WAIVER PROGRAM~~

~~OFFICIAL:  
Kendall W. Penn  
Major General  
The Adjutant General  
Title 6. Education  
Chapter XVIII. Arkansas National Guard, Department of Military  
Part 530. Arkansas National Guard Tuition Waiver Program~~

Codification Notes. This part as promulgated prior to codification into the Code of Arkansas Rules of 2024 provided as follows:

“Summary. This rule implements Act 471 of the 91st General Assembly, Act 535 of the 92nd General Assembly, and Acts 76 and 133 of the 93rd General Assembly, and Act 275 of the 94<sup>th</sup> General Assembly; establishes rules for the eligibility of Guardsmen, soldiers and airmen; defines the purpose of the Arkansas National Guard Tuition Waiver Program; defines necessary responsibilities of the program; and sets forth entitlement criteria.

**Applicability.** This rule applies to all active members of the Arkansas Army and Air National Guard as defined in Arkansas Code Title 6, Chapter 60, Subchapter 2.

**General.** In this ~~regulation~~rule, the words "~~Guardsman~~soldier" or "~~soldiers~~" and "~~Guardsmen~~airman" or "airmen" are intended to include both masculine and feminine gender unless specifically stated otherwise.

**Distribution.** This publication is available for both Arkansas Army and Air National Guard, Arkansas Division of Higher Education, all in-state accredited institutions of higher education, and the general public."

## ~~CONTENTS (listed by paragraph and page number)~~

### ~~Chapter 1~~

~~General, page 4~~

~~Purpose 1-1, page 4~~

~~Entitlements 1-2, page 4~~

~~Policy 1-3, page 4~~

~~Responsibilities 1-4, page 4~~

### ~~Chapter 2~~

~~Eligibility, page 5~~

~~Eligibility Criteria 2-1, page 5~~

~~Army National Guard Criteria 2-2, page 5 Air National Guard Criteria 2-3, page 5~~

### ~~Chapter 3~~

~~Administration, page 5~~

~~Application Process 3-1, page 5~~

~~Submission Deadlines 3-2, page 6~~

~~Authorized Uses 3-3, page 6~~

~~Continuation of Eligibility 3-4, page 6~~

~~Terminations 3-5, page 6~~

~~Recoupments 3-6, page 6~~

~~Restoration of Eligibility 3-7, page 7~~

~~Exception to Policy 3-8, page 7~~

~~Duplicate Sources of Funding 3-9, page 8~~

### ~~Appendices~~

~~Appendix A Accredited Arkansas Colleges and Universities for NGTW, page 9~~

~~Appendix B Definitions/Acronyms, page 10~~

## Subpart 1. Generally

### **Chapter 1 General**

#### **1-1. 6 CAR § 530-101. Purpose.**

       This ~~rule-part~~ establishes policy, procedure, and eligibility requirements for administration of the Arkansas National Guard Tuition Waiver Program ~~(NGTW)~~.

**Authority.** Arkansas Code § 6-60-214.

## APPENDIX B

### Definitions/Acronyms 6 CAR § 530-102. Definitions.

       As used in this part:

- (1) ~~“ADHE” means the Arkansas Division of Higher Education;~~
- (2) ~~“ARNG” means the Arkansas National Guard;~~
- (3) ~~“AWOL” means Absent Without Leaveabsent without leave;~~
- (4) ~~“Course of Studystudy” means the time during which a student is continuously enrolled in pursuit of a credential;~~
- (5) ~~“Education Office and Incentives Branch” means the Arkansas Army Army National Guard Education Officeand Incentives Branch;~~ which facilitates processing of both Army and Air National Guard requests after service component verification;
- (6) ~~“ESO” means Education Services Officer;~~
- (7) ~~“ETP” means Exception to Policyexception to policy;~~
- (8) ~~“FAFSA” means Free Application for Federal Student Aid;~~
- (9)-(2) ~~“GuardsmanSoldier” / or “Guardsmensoldiers” means an active member or members of the Arkansas Army or Air National Guard;~~
- (3) ~~“Airman” or “Airmen” means an active member or members of the Arkansas Air National Guard.~~
- (10)-(4) ~~“Initial Active Duty Trainingactive duty training” means completion of basic training or credit for a basic course through the Reserve OfficerOfficers’ Training Corps (ROTC);~~
- (11)-(5) ~~“Institution of Higher Educationhigher education” means any state-supported public institution;~~
- (12) ~~“MGIB” means the Montgomery GI Bill;~~
- (13) ~~“NGTW” means Arkansas National Guard Tuition Waiver; and~~
- (14) ~~“TAG” means Thethe Adjutant General.~~

**Authority.** Arkansas Code § 6-60-214.

#### **1-2. 6 CAR § 530-103. Entitlements.**

       (a) The ~~NGTW~~Arkansas National Guard Tuition Waiver, as established by Acts 2017, No. 471, as amended by Acts 2019, No. 535, ~~of the 92nd General Assembly~~ and Acts 2021, Nos. 76, and 133, ~~of the 93rd General Assembly~~ and Acts 2023, No. 275, located in Arkansas Code § 6-60-214, allows all eligible

~~Guardsmen~~soldiers and airmen (see [Chapter 26 CAR § 530-201 et seq.](#)) to attend a state-supported institution of higher education tuition-free.

(b) This benefit will waive tuition for a maximum of one hundred twenty (120) semester credit hours.

(c) The ~~NGTW~~Arkansas National Guard Tuition Waiver can only be used to obtain an undergraduate degree, up to a bachelor's, and cannot be used by ~~Guardsmen~~soldiers and airmen who have previously been awarded a bachelor's degree.

(d) The cost of a ~~Guardsman~~soldier's or airman's mandatory fees charged by an institution of higher education that the soldier or airman is attending may be paid for with available funds allocated by the Division of Higher Education for the tuition-free program.

(e) Payment of mandatory fees, if any, will not exceed actual cost of mandatory fees.

**Authority.** [Arkansas Code § 6-60-214.](#)

#### ~~1-3.~~ **6 CAR § 530-104. Policy.**

In an effort to improve necessary strength and readiness levels in the Arkansas National Guard, the ~~NGTW~~Arkansas National Guard Tuition Waiver is:

(1) ~~authorized~~ Authorized under state law as a benefit for qualifying ~~Guardsmen~~soldiers and airmen; and

(2) ~~is based~~ Based on eligibility criteria detailed in ~~Act 471~~Acts 2017, No. 471, as amended by ~~Act 535~~Acts 2019, No. 535, [Arkansas Code Title 6, Chapter 60, Subchapter 2](#), this ~~regulation~~rule, and by the ~~Arkansas~~Division of Higher Education (~~ADHE~~).

**Authority.** [Arkansas Code § 6-60-214.](#)

#### ~~1-4.~~ **6 CAR § 530-105. Responsibilities.**

~~a.~~ (a) ~~ADHE~~The Division of Higher Education is responsible for:

(1) Coordinating with the Arkansas National Guard regarding ~~regulation~~rule changes or modifications;

(2) Administering receipt and disbursement of funds to the institutions and maintaining fiscal records of the ~~NGTW~~Arkansas National Guard Tuition Waiver;

(3) Verifying the ~~Guardsman~~soldier or airman has submitted the Free Application for Federal Student Aid (~~FAFSA~~) and the Arkansas ~~YOU~~Universal Financial Aid Application-Scholarship Application Management System;

(4) Approving or denying ~~YOU~~Universal Scholarship Application Management System Financial Aid applications and submitting results to the:

(A) Arkansas ~~Army~~ National Guard Education ~~Office~~and Incentives Branch;

(B) ~~the institution~~Institution; and

(C) ~~the Guardsman~~Soldier or airman;

(5) Providing the Arkansas National Guard with eligibility verification for ~~NGTW~~Arkansas National Guard Tuition Waiver criteria as outlined in [Chapter 2-6 CAR § 530-201 et seq.](#) of this ~~regulation~~;

(6) Defining "mandatory fees;" and

\_\_\_\_\_ (7) Determining the amount of funds available and the allocation method to pay mandatory fees.

b. (b) The Institution of Higher Education institution of higher education is responsible for:

\_\_\_\_\_ (1) The Institution's institution's NGTW Arkansas National Guard Tuition Waiver Representative representative will serve as the liaison between the:

\_\_\_\_\_ (A) respective Respective institution;

\_\_\_\_\_ (B) the Education Services Officer (ESO); and

\_\_\_\_\_ (C) ADHE Division;

\_\_\_\_\_ (2) Verifying the Guardsmansoldier or airman is considered by the institution to be in "Good Standing" "good standing" and meeting the requirements of Satisfactory Academic Progress satisfactory academic progress (SAP) as defined in the institution's policies;

\_\_\_\_\_ (3) Verifying the Guardsmansoldier or airman:

\_\_\_\_\_ (A) is enrolled in a program of study that leads to an undergraduate degree; and

\_\_\_\_\_ (B) does Does not already possess a bachelor's degree;

\_\_\_\_\_ (4) Verifying the Guardsmansoldier or airman has applied for institutional grants and scholarships applicable to the Guardsmansoldier's or airman's term and major;

\_\_\_\_\_ (5) Notifying ADHE the division of the application close date and applicable term for institutional grants and scholarships;

\_\_\_\_\_ (6) Notifying ADHE the division of the Guardsmansoldier's or airman's current date of acceptance as a student at the institution;

\_\_\_\_\_ (7) Notifying ADHE the division regarding the status of eligibility and application verification;

\_\_\_\_\_ (8) Providing to ADHE the division a roster of all hours and dollars attributed to this program as well as student completion status at the conclusion of each semester;

\_\_\_\_\_ (9) Informing ADHE the division if the Guardsmansoldier's or airman's academic status changes; and

\_\_\_\_\_ (10) Applying the NGTW Arkansas National Guard Tuition Waiver to student accounts IAW in accordance with the sequence(s) sequence or sequences established in this regulation part.

(11) —

c. (c) The Adjutant General (TAG) is responsible for:

\_\_\_\_\_ (1) Coordinating with the ADHE division in promulgating rules for the implementation of the NGTW Arkansas National Guard Tuition Waiver, including without limitation rules for the eligibility of Guardsmensoldiers and airmen; and

\_\_\_\_\_ (2) (A) Making final decision regarding recoupment of all benefits paid on the Guardsmansoldier's or airman's behalf for reasons including, but not limited to:

\_\_\_\_\_ (i) absence Absence without leave (AWOL);

\_\_\_\_\_ (ii) substance Substance abuse violations; or

\_\_\_\_\_ (iii) any Any other serious misconduct.

\_\_\_\_\_ (B) (see See Paragraph 3-66 CAR § 530-306).

d. (d) The Arkansas Army National Guard Education Office and Incentives Branch is responsible for:

\_\_\_\_\_ (1) Monitoring and verifying eligibility status of participating Guardsmensoldiers for the Arkansas Army National Guard;

\_\_\_\_\_ (2) Receiving eligibility verification data from the Arkansas Air National Guard and processing applications of participating ~~Air Guardsmen~~ airmen ~~IAW in accordance with this regulation part;~~

\_\_\_\_\_ (3) Maintaining ~~records/database~~ records or databases or both and serving as ~~point-of-contact~~ point of contact for verification and discrepancies for institutions and ~~ADH~~ the division;

\_\_\_\_\_ (4) Providing ~~ADH~~ the division with a roster of all ~~Guardsmen~~ soldiers and airmen requesting ~~NGTW~~ Arkansas National Guard Tuition Waiver for the term;

\_\_\_\_\_ (5) Reviewing eligibility verification rosters from ~~ADH~~ the division and providing ~~ADH~~ the division with final ~~NGTW~~ Arkansas National Guard Tuition Waiver eligibility determinations;

\_\_\_\_\_ (6) Providing notification of ~~NGTW~~ Arkansas National Guard Tuition Waiver ineligibility and ~~ETP~~ exception to policy request procedures to disqualified applicants;

\_\_\_\_\_ (7) Providing notification of ~~ETP~~ exception to policy request determination to ~~ADH~~ the division and the ~~Guardsman~~ soldier or airman; and

\_\_\_\_\_ (8) Educating ~~Guardsmen~~ soldiers and airmen on the process established by ~~ADH~~ the division regarding mandatory fees.

e. (e) The Arkansas Army National Guard Education Services Officer (~~ESO~~) is responsible for:

\_\_\_\_\_ (1) Serving as ~~TAG's~~ the Adjutant General's delegated proponent for the ~~NGTW~~ Arkansas National Guard Tuition Waiver;

\_\_\_\_\_ (2) Coordinating policy changes with the ~~ADH~~ division;

\_\_\_\_\_ (3) Coordinating with ~~ADH~~ the division, the institution, and the ~~Guardsman~~ soldier or airman to resolve any ~~Exception to Policy (ETP)~~ exception to policy requests or grievances;

\_\_\_\_\_ (4) Processing ~~ETP~~ exception to policy requests in accordance with ~~Chapter 3 of this regulation~~ 6 CAR § 530-301 et seq.; and

\_\_\_\_\_ (5) Rendering final approval or denial of any ~~Guardsman~~ soldier's or airman's request for an ~~ETP~~ exception to policy.

f. (f) The Arkansas Air National Guard ~~Representative(s)~~ representative or representatives ~~is~~ are responsible for:

\_\_\_\_\_ (1) Working directly with the ~~Education Office~~ Arkansas National Guard Education and Incentives Branch and ~~ESO~~ Education Services Officer in executing and administering ~~NGTW~~ Arkansas National Guard Tuition Waiver for the Air National Guard; and

\_\_\_\_\_ (2) Maintaining ~~records/database~~ records or databases or both and serving as ~~point-of-contact~~ point of contact for verification and discrepancies for institutions and ~~ADH~~ the division.

g. (g) The ~~Guardsman~~ soldier or airman is responsible for:

\_\_\_\_\_ (1) Meeting and maintaining eligibility criteria (see ~~Chapter 26~~ 26 CAR § 530-201 et seq.) and submitting an application (see ~~Chapter 36~~ 36 CAR § 530-301 et seq.) before the deadline date each semester;

\_\_\_\_\_ (2) Maintaining eligibility criteria established by the institution in which they are enrolled, the Arkansas National Guard, and ~~ADH~~ the division, and otherwise successfully completing the semester and all hours for which the tuition waiver is awarded;

\_\_\_\_\_ (3) Remaining in ~~"Good Standing"~~ "good standing" with the institution in which they attend, as defined by that institution;

\_\_\_\_\_ (4) Achieving and maintaining ~~"Satisfactory Academic Progress"~~ satisfactory academic progress within their degree program, as defined by that institution; and

(5)(A) If denied for the NGTW Arkansas National Guard Tuition Waiver, the Guardsmansoldier or airman may request an ETPexception to policy through the ESO-Education Services Officer if they feel they have extenuating circumstances ~~which-that~~ were beyond their control or unavoidable.

(B) The ETPexception to policy must be:  
(i) ~~requested-Requested~~ within thirty (30) calendar days of denial; and  
(ii) ~~processed-Processed~~ in accordance with Chapter 3 of this regulation6 CAR § 530-301 et seq.

**Authority.** Arkansas Code § 6-60-214.

## **Chapter 2Subpart 2. Eligibility**

### **2-1. 6 CAR § 530-201. Eligibility Criteriacriteria.**

a. (a) The NGTW Arkansas National Guard Tuition Waiver is available to all Guardsmensoldiers and airmen:

(1) ~~currently-Currently~~ serving in the Arkansas National Guard; and  
(2) ~~considered-Considered~~ at the time of application to meet all eligibility criteria.

b. (b) A Guardsmansoldier or airman must be an Arkansas ~~Residentresident~~ or eligible for in-state tuition under A.C.A. §6-60-205.

c. (c)(1) A Guardsmansoldier or airman must have completed ~~Initial Active Duty Training-initial active duty training~~ (basic training or credit for a basic course through the Reserve Officers' Training Corps-ROTC).

(2) GuardsmenSoldiers and airmen with an exigent circumstance that warrants a temporary waiver of the Initial Active Duty Training requirement may request an ~~Exception to Policy exception to policy~~ (ETP) ~~IAW in accordance with paragraph 3-8 of this regulation6 CAR § 530-308.~~

d. (d)(1) A GuardsmanSoldier or airman must not currently hold a bachelor or higher degree.

(2) In the event a Guardsman possesses a credential or degree awarded from a foreign entity, the Guardsman must first seek evaluation of the degree's equivalency at the Institution of Higher Education.

(3) If the Institution of Higher Education determines, in accordance with its policies and accreditation requirements, the foreign credential does not equate to a bachelor's degree or higher, the Guardsman may use the National Guard Tuition Waiver in pursuit of a bachelor's degree

(4) If the Institution of Higher Education determines the foreign credential meets the equivalency requirements of a bachelor's degree, however, the soldier or airman may not use the National Guard Tuition Waiver.

e. (e)(1) A Guardsmansoldier or airman must be accepted and enrolled in an undergraduate ~~degree-producing-degree-producing~~ program at an Arkansas state-supported public institution of higher education recognized by ~~ADHE-the Division of Higher Education~~.

(2) ~~see-See~~ Appendix A).

f. (f)(1) A Guardsmansoldier or airman must have:

(A) ~~completed-Completed~~ the Free Application for Federal Student Aid (FAFSA);  
and



~~(B) the The~~ Arkansas ~~YO~~Universal Scholarship Application Management System Financial Aid Application; and

~~(B) applied~~ Applied for grants and scholarships with the institution in which they are enrolled.

~~(1)~~ ~~(2)~~ Neither selection nor ~~non-selection~~nonselection for receipt of institutional grants and scholarships shall disqualify a ~~Guardsmansoldier or airman~~ from receiving the ~~NGTW~~ National Guard Tuition Waiver.

~~(2)~~ ~~(3)(A)~~ In determining whether a ~~Guardsmansoldier or airman~~ has met the application deadline for institutional grants and scholarships, the application deadline date shall be compared to the ~~Guardsmansoldier's or airman's~~ date of admittance to the institution and the ~~Guardsmansoldier's or airman's~~ date of entry into the Arkansas National Guard.

~~(B)~~ Institutional grants and scholarships with application periods closing prior to the latter of these dates shall not disqualify a ~~Guardsmansoldier or airman~~ from receiving the ~~NGTW~~ National Guard Tuition Waiver.

~~(C) The soldier or airman must submit federal, state, and institutional financial aid applications in accordance with the timelines established for each of those programs.~~

~~g-~~ ~~(g) A~~ ~~Guardsman~~Soldier or airman must be in "~~Good Standing~~good standing" with their enrolled institution and meeting the requirements of ~~Satisfactory Academic Progress~~"satisfactory academic progress" ~~(SAP)~~, as defined by that institution.

~~h-~~ ~~(h) Guardsmen~~Soldiers and airmen must remain in "~~Good Standing~~" "~~good standing~~" with the ~~ARNG~~Arkansas National Guard.

**Authority.** [Arkansas Code § 6-60-214.](#)

## ~~2-2-~~ **6 CAR § 530-202. Arkansas Army National Guard ~~Criteri~~criteria.**

~~a-~~ ~~(a) Guardsmen~~Soldiers -must be considered to be in "~~Good Standing~~good standing" at the time of application.

~~b-~~ ~~(b) The~~ ~~Education Office~~Arkansas National Guard Education and Incentives Branch will verify eligibility criteria for all Army ~~Guardsmen~~soldiers.

~~c-~~ ~~(c) Guardsmen~~Soldiers currently under ~~Suspension of Favorable Action~~-suspension of favorable actions for, but not limited to, ~~AWOLs~~absent without leave infractions, substance abuse violations, or any other serious misconduct at the time of application are not eligible for the ~~NGTW~~ National Guard Tuition Waiver.

**Authority.** [Arkansas Code § 6-60-214.](#)

## ~~2-3-~~ **6 CAR § 530-203. Arkansas Air National Guard ~~Criteri~~criteria.**

~~a-~~ ~~(a) Guardsmen~~Airmen must be considered to be in "~~Good Standing~~" "~~good standing~~" at the time of application.

~~b-~~ ~~(b) The~~ Air National Guard Representative will verify eligibility criteria for each ~~Air~~ Guardsman airman through their Unit Commander.

~~c-~~ ~~(c) Guardsmen~~Airmen currently under ~~Suspension of Favorable Action~~-suspension of favorable actions for, but not limited to, ~~AWOLs~~absent without leave infractions, substance abuse violations, or



any other serious misconduct at the time of application are not eligible for the ~~NGTW~~ National Guard Tuition Waiver.

**Authority.** Arkansas Code § 6-60-214.

#### ~~2-4. Eligibility Determination & Processing~~

##### 6 CAR § 530-204. Eligibility determination and processing.

~~a-~~ (a) For each ~~NGTW~~ National Guard Tuition Waiver applicant and term, ~~ADHE~~ the Division of Higher Education will provide the status of ~~ADHE~~ division and ~~Educational Institution~~ educational institution verified items in ~~Table 2-1~~ the table in subsection (d) of this section to the ~~Education Office~~ Arkansas Army National Guard Education and Incentives Branch.

~~b-~~ (b) Upon receipt of ~~Table 2-1~~ verification data from the table in subsection (d) of this section from ~~ADHE~~ the division, the ~~Education Office~~ Arkansas National Guard Education and Incentives Branch will verify service component criteria and provide an ~~NGTW~~ National Guard Tuition Waiver eligibility determination to ~~ADHE~~ the division and the ~~Guardsman~~ soldier or airman.

~~c-~~ (c) The request timeline for an ~~ETP~~ exception to policy will commence on the date of the ~~Education Office's~~ Arkansas National Guard Education and Incentives Branch's notification to the ~~Guardsman~~ soldier or airman.

~~Table 2-1.~~ (d) ~~NGTW Eligibility Requirements & Verification Responsibility~~ National Guard Tuition Waiver eligibility requirements and verification responsibility table.

<del>Eligibility Criteria</del> <u>criteria</u>	<del>Verification Responsibility</del> <u>responsibility</u>
<del>Arkansas Resident or eligible for in-state tuition</del>	<del>ADHE</del> <u>Division of Higher Education</u>
<del>IADT Completion / Basic Course Qualification</del> <u>Initial active duty training completion or basic course qualification</u>	<del>ARNG</del> <u>Arkansas National Guard</u>
<del>"Good Standing" IAW Army Regulation and/or Air Force Instruction standing</del> <u>in accordance with Army Regulation or Air Force Instruction</u>	<del>ARNG Service Component Representative (ESO — AR ARNG / Wing NGTW Rep — AR ANG)</del> <u>Arkansas National Guard service component representative:</u> <u>Education and Incentives Branch Arkansas Army National Guard or Wing National Guard Tuition Waiver Representative: Arkansas Air National Guard</u>
<del>Does Not Possess Bachelor's Degree</del> <u>not possess a bachelor's degree</u>	<del>Educational Institution</del> <u>institution</u>
<del>Enrollment in a Degree Producing Program</del> <u>degree producing program</u>	<del>Educational Institution</del> <u>institution</u>
<del>Applied for Institutional Grants &amp; Scholarships</del> <u>institutional grants and scholarships</u>	<del>Educational Institution</del> <u>institution</u>
<del>Date of Acceptance as a Student</del> <u>acceptance as a student</u>	<del>Educational Institution</del> <u>institution</u>
<del>Date of Institutional Grants &amp; Scholarship Application Period</del> <u>institutional grants and scholarship application period</u>	<del>Educational Institution</del> <u>institution</u>
<del>"Good Standing" IAW Institution Policies</del> <u>standing in accordance with institution policies</u>	<del>Educational Institution</del> <u>institution</u>
<del>Satisfactory Academic Progress</del>	<del>Educational Institution</del> <u>institution</u>
<del>Applied for</del> <u>Application submitted through FAFSA</u>	<del>ADHE</del> <u>Division of Higher Education</u>

Applied for ~~YOU~~Universal Financial Aid Application  
submitted through the Arkansas Scholarship  
Application Management System

ADHE ~~Division of Higher Education~~

~~Table 2-1. NGTW Eligibility Requirements & Verification Responsibility~~

**Authority.** [Arkansas Code § 6-60-214.](#)

### ~~Chapter 3~~**Subpart 3. Administration**

#### ~~3-1.~~ **6 CAR § 530-301. Application ~~Process~~process.**

~~a.~~ **(a)(1)** ~~Guardsmen~~Soldiers and airmen requesting ~~NGTW~~the National Guard Tuition Waiver will obtain the application and ~~Statement of Understanding (SOU)~~statement of understanding through the Arkansas ~~Army~~ National Guard Education ~~and Incentives Branch~~ website.

~~(2)~~ All applications and ~~SOU~~s-statements of understanding must include the ~~Guardsman~~soldier's or ~~airman~~'s signature (digital or manual). ~~Script fonts or other typed signatures are not authorized.~~

~~b.~~ **(b)** Applications for Army ~~Guardsmen~~soldiers will be routed to the ~~Education Office~~ Arkansas ~~National Guard Education and Incentives Branch~~ for verification of eligibility as listed in ~~Paragraphs 2-2 and 2-4 above~~6 CAR §§ 530-202 and 530-204.

~~c.~~ **(c)** Applications for Air ~~Guardsmen~~airmen will be routed to the Air National Guard ~~Representative~~representative for verification of eligibility as listed in ~~Paragraph 2-3 and 2-4 above~~6 CAR §§ 530-203 and 530-204 before processing at the ~~Education Office~~Arkansas National Guard Education and Incentives Branch.

~~d.~~ **(d)** Once verified and approved, applications are submitted to the ~~ADHE~~Division of Higher Education for disbursement of funds to the institutions of higher learning.

**Authority.** [Arkansas Code § 6-60-214.](#)

#### ~~3-2.~~ **6 CAR § 530-302. Submission ~~Deadlines~~deadlines.**

~~a.~~ **(a)** Applications must be submitted for each semester in which the ~~Guardsman~~soldier or ~~airman~~ wishes to receive the ~~NGTW~~ National Guard Tuition Waiver.

~~b.~~ **(b)** The ~~NGTW~~ National Guard Tuition Waiver may be applied for all semester and intersession courses.

~~c.~~ **(c)** Applications may be submitted up to sixty (60) calendar days prior to the start of the course, but must be submitted ~~NO LATER THAN~~no later than thirty (30) days after the start of the course.

~~d.~~ **(d)(1)** Applications received after the deadline date may not be awarded and therefore the ~~Guardsman~~soldier or ~~airman~~ would be responsible for paying tuition to the institution.

~~(2)~~ An ~~ETP~~exception to policy can be requested through the ~~ESO~~Education Services Officer in writing.

**Authority.** [Arkansas Code § 6-60-214.](#)

#### ~~3-3.~~ **6 CAR § 530-303. Authorized ~~Uses~~uses.**

~~a.~~ **(a)** The ~~NGTW~~ National Guard Tuition Waiver will only be awarded for programs leading to an undergraduate degree.

~~b.~~ (b) Eligible ~~Guardsman~~ ~~Guardsmen~~ ~~soldiers and airmen~~ may use the ~~NGTW~~ National Guard Tuition Waiver until completion of a bachelor's degree or for a maximum of one hundred twenty (120) semester credit hours, whichever comes first.

~~c.~~ (c) The ~~NGTW~~ National Guard Tuition Waiver will only cover tuition and, subject to the availability of funds, mandatory fees.

~~d.~~ (d) The ~~Guardsman~~ ~~soldier or airman~~ is responsible for all other costs, such as mandatory fees not covered by the ~~NGTW~~ waiver, additional fees, room and board, textbooks, ~~etc and other expenses~~.

~~d.~~ (e) The ~~NGTW~~ National Guard Tuition Waiver will not be applied to courses completed in a prior semester.

~~e.~~ (f) ~~Guardsmen~~ Soldiers and airmen enrolled in high school and college concurrently are not eligible for the tuition waiver.

f. (g)(1) The ~~NGTW~~ National Guard Tuition Waiver may be awarded to exclusively online degree programs where the degree-offering institution is associated with a state-supported institution of higher education.

(2) The associated state-supported institution must be recognized by ~~ADHE~~ the Division of Higher Education as an accredited public institution of higher learning.

(h) The National Guard Tuition Waiver may be used concurrently at more than one institution, provided it is in pursuit of a single Bachelor's degree and both institutions are NGTW eligible.

(1) Examples include prerequisite or core level courses at an eligible satellite or community college in addition to a primary campus.

(2) In such cases, the Education and Incentives Branch may coordinate with the institution to confirm eligibility. Semester hour limits shall include all hours pursued using NGTW at each campus.

Authority. Arkansas Code § 6-60-214.

~~3-4.~~ 6 CAR § 530-304. Continuation of Eligibility ~~eligibility.~~

~~a.~~ (a)(1) In the event a mobilization or deployment interrupts the enrollment of a ~~Guardsman~~ ~~soldier or airman~~ currently receiving the ~~NGTW~~ National Guard Tuition Waiver, the ~~Guardsman~~ ~~soldier or airman~~ will remain eligible for a period of time equal to the -semester in which they were enrolled.

(2) It is the ~~Guardsman~~ ~~soldier's or airman's~~ responsibility to notify the institution, via copies of orders, of mobilization or deployment.

~~b.~~ (b) In the event of a ~~non-medical~~ ~~nonmedical~~ discharge or a medical discharge that is not caused by an illness or injury related to the performance of duties for the Arkansas National Guard, the ~~Guardsman~~ ~~soldier or airman~~ is eligible to receive the ~~NGTW~~ National Guard Tuition Waiver for the semester in which they are enrolled at the date of discharge.

~~c.~~ (c) In the event of a medical discharge or medical retirement as a result of illness or injury incurred in the line of duty, as the result of a state or federal activation or a terrorist action as determined by the Governor, the ~~Guardsman~~ ~~soldier or airman~~ is eligible to receive the ~~NGTW~~ National Guard Tuition Waiver from the date of discharge or retirement and either until completion of the degree

program in which the ~~Guardsman~~soldier or airman is enrolled or for five (5) years, whichever comes first.

~~d.~~ (d)(1) To maintain eligibility, a ~~Guardsman~~soldier or airman must not drop more than six (6) credit hours during a course of study;

(2) ~~however~~However, this does not include dropping classes before the ~~add/drop~~ add or drop date.

(3) A course of study is defined as the time during which a student is continuously enrolled in pursuit of a credential.

**Authority.** [Arkansas Code § 6-60-214.](#)

**~~3-5.~~ 6 CAR § 530-305. Termination.**

~~a.~~ (a) If a ~~Guardsman~~soldier or airman is dismissed from any institution of higher education for academic or disciplinary reasons, or drops a course after the ~~drop/add~~ add or drop date that exceeds the cumulative continuation of eligibility limits, the ~~Guardsman~~soldier or airman may be:

(1) ~~ineligible~~ Ineligible for receiving the National Guard Tuition Waiver  
receiving the National Guard Tuition Waiver, the soldier or airman will remain eligible for a period of time equal to the semester in which they were enrolled.

(2) Responsible for paying the institution directly for the semester in which the benefit was received.

(3) It is the soldier's or airman's responsibility to notify the institution, via copies of orders, of mobilization or deployment.

(b) In the event of a nonmedical discharge or a medical discharge that is not caused by an illness or injury related to the performance of duties for the Arkansas National Guard, the soldier or airman is eligible to receive the National Guard Tuition Waiver for the semester in which they are enrolled at the date of discharge.

(c) In the event of a medical discharge or medical retirement as a result of illness or injury incurred in the line of duty, as the result of a state or federal activation or a terrorist action as determined by the Governor, the soldier or airman is eligible to receive the National Guard Tuition Waiver from for a period of time equal to the semester in which they were enrolled. NGTW; and

~~(2) may be responsible~~ Responsible for paying the institution directly for the semester in which the benefit was received.

~~b.~~ (d**b**) If a ~~Guardsman~~soldier or airman's service in the Arkansas National Guard is terminated, or becomes unsatisfactory, the ~~Guardsman~~soldier or airman will be ineligible for the ~~NGTW~~ National Guard Tuition Waiver and subject to recoupment for the semester in which the ~~Guardsman~~soldier or airman became ineligible.

**Authority.** [Arkansas Code § 6-60-214.](#)

**~~3-6.~~ 6 CAR § 530-306. Recoupment.**

~~a.~~ (a) Recoupment of ~~NGTW~~ the National Guard Tuition Waiver is required from ~~Guardsmen~~soldiers and airmen for the following reasons:

(1) Fraud or misrepresentation of the application;

\_\_\_\_\_ (2) Failure on the part of the Guardsmansoldier or airman to complete the semester for which the benefit was awarded-;

\_\_\_\_\_ (3) Failure to maintain eligibility status with the Arkansas National Guard for the entire semester in which the NGTW-National Guard Tuition Waiver was awarded-; or

\_\_\_\_\_ (4) Identification of courses dropped after the add/drop-add or drop date in excess of the six (6) credit hours allowance in paragraph 3-4.d6 CAR § 530-304(d).

~~b-~~ (b) Recoupment may be collected by the respective institution in which the Guardsmansoldier or airman is enrolled or by the ADHE-Division of Higher Education if funds were already paid on the Guardsmansoldier's or airman's behalf.

~~c-~~ (c)(1) The Adjutant General may initiate recoupment of ALL-all funds paid on a Guardsmansoldier's or airman's behalf using the NGTW-National Guard Tuition Waiver when the Guardsmansoldier or airman engages in misconduct or fails to remain a satisfactory participant- in active drilling status with the Arkansas National Guard (as defined in Chapter 11 and Chapter 12 of ARArmy Regulation 135-178 and AFAir Force Instruction ~~is~~-36-3208 and 3209) that governs misconduct].

\_\_\_\_\_ (2) Any funds recouped will be returned to the State of Arkansas.

Authority. Arkansas Code § 6-60-214.

~~3-7-~~ 6 CAR § 530-307. Restoration of ~~Eligibility~~eligibility.

~~a-~~ (a)(1) GuardsmenSoldiers and airmen ineligible for NGTW-National Guard Tuition Waiver due to a Suspension of Favorable Actions-suspension of favorable actions as outlined in paragraphs 2-2.c and 2-3.c-6 CAR § 530-202(c) and § 530-203(c) remain ineligible for the NGTW-waiver for the duration of the suspension.

\_\_\_\_\_ (2) Subject to remaining eligibility requirements, the Guardsmen-Guardsmansoldier or airman- is eligible for NGTW-the National Guard Tuition Waiver in the first term (semester or intersession) that commences following removal of the suspension.

~~b-~~ (b) GuardsmenSoldiers and airmen ineligible for NGTW-the National Guard Tuition Waiver due to any other reason, including but not limited to satisfactory academic progress and institutional good standing, may submit a written request for ETPexception to policy in accordance with paragraph 3-86 CAR § 530-308.

Authority. Arkansas Code § 6-60-214.

~~3-8-~~ 6 CAR § 530-308. Exceptions to ~~Policy~~policy.

~~a-~~ (a) In the event a Guardsmansoldier or airman is denied for the NGTW-National Guard Tuition Waiver, has benefits terminated, or is ordered to repay benefits pursuant to the provisions of this regulationpart, the Guardsmansoldier or airman may appeal any such action to the ESO Education Services Officer, in writing, within thirty (30) calendar days from the date of termination/-recoupment or denial.

~~b-~~ (b) The ESO-Education Services Officer will serve as TAG's-the Adjutant General's delegated approval authority for NGTW-the National Guard Tuition Waiver ETPexception to policy requests of Guardsmensoldiers and airmen in both the Arkansas Army and Air National Guard.

~~c-~~ (c)(1) Exceptions to Policy-policy may be requested by Guardsmensoldiers and airmen, in writing, to the ESO Education Services Officer.

(2) In order for the ETP exception to policy to be considered they must include, at a minimum, the following information:

(1) (A) Name of Guardsman soldier or airman and unit/wing unit or wing of assignment;

(2) (B) Institution of higher education name and location;

(3) (C) Semester year/month-year and month in question; and

(4) (D) Reason for request that indicates that the situation was not:

(i) due to the negligence or fault of the Guardsman soldier or airman; and

(ii) was not within the Guardsman soldier or airman's reasonable control.

d. (d) The ESO Education Services Officer will:

(1) review-Review the ETP exception to policy request;

(2) coordinate-Coordinate with the institution and the ADHE Division of Higher Education to resolve the ETP exception to policy; and

(3) provide-Provide written notification to the Guardsmen soldiers and airmen and ADHE the division of the final disposition.

(e) In the event a Guardsman's degree program exceeds the 120 semester credit hour limitation established in paragraph 3-3.b, an ETP request must also include documentation verifying the pursued degree's program requirements and the Guardsman's satisfactory progress towards the degree.

(1) This documentation will include, at a minimum, a degree plan validated by the Guardsman's academic advisor, school registrar, or similar authority; and a copy of the Guardsman's transcript through the date of the ETP request.

(2) For purposes of this section, a Guardsman may submit unofficial transcripts to the Education Office. The Education Office, though, reserves the right to request official transcripts for verification if the submitted documents are illegible or present any suspicion of tampering, alteration, or unauthorized modification.

(3) The ESO will review the submitted ETP request, transcripts, and degree plan before submitting a recommendation for continued NGTW eligibility beyond 120 semester credit hours to ADHE. Areas of review will, at a minimum, include the Guardsman's history of remedial courses, courses failed or dropped after the add/drop date, and the Guardsmen's overall academic progress towards the degree.

(4) The ESO may deny the ETP request or recommend approval to ADHE. In these instances, only ADHE may grant approval for continued use of the NGTW beyond 120 semester credit hours.

(f) Continued eligibility for the NGTW beyond 120 semester credit hours as outlined above is subject to the availability of funds and approval of ADHE. Guardsmen with a degree program exceeding

120 semester credit hours must submit an ETP request in each subsequent term until degree completion unless otherwise approved in writing by ADHE.

Authority. Arkansas Code § 6-60-214.

### ~~3-9. Duplicate Sources of Funding~~

#### ~~6 CAR § 530-309. Duplicate sources of funding.~~

- ~~a-~~ (a) Other sources of funding may be used in addition to the NGTW National Guard Tuition Waiver.
- ~~b-~~ (b) Federal and state grants and scholarships awarded to Guardsmensoldiers and airmen via Free Application for Federal Student Aid (FAFSA) (~~FAFSA~~) and YOUniversal Scholarship Application Management System applications will be applied to tuition before the NGTW National Guard Tuition Waiver is applied.
- ~~c-~~ (c) Grants and scholarships awarded by the institution in which the Guardsmansoldier or airman is enrolled will be applied toward tuition before NGTW the National Guard Tuition Waiver is applied.
- ~~d-~~ (d)(1) GuardsmenSoldiers and airmen may, but are not required to, use the NGTW National Guard Tuition Waiver simultaneously with the Montgomery GI Bill (all ~~Chapters~~chapters) and the Kicker.
- (2) The NGTW National Guard Tuition Waiver will be applied to tuition before GI Bill funds are applied.
- ~~e-~~ (e) GuardsmenSoldiers and airmen may, but are not required to, use Federal Tuition Assistance federal tuition assistance with the NGTW National Guard Tuition Waiver. Federal tuition assistance here refers to Federal Tuition Assistance programs established by the Department of Defense. It does not include FAFSA funds which must be applied as outlined in paragraph (b) above. If used, FTA funds will be applied to tuition before the National Guard Tuition Waiver is applied.
- ~~f-~~ (f)(1) NGTWThe National Guard Tuition Waiver used within a term will apply to all courses enrolled for that term, excluding those dropped before the institution's add/drop add or drop date.
- (2) All such course enrollments for that term will count toward the one hundred twenty (120) credit hour NGTW National Guard Tuition Waiver limit.

Authority. Arkansas Code § 6-60-214.

## APPENDIX A

### Accredited Institutions of Higher Education

\* Current list of public institutions of higher education can be found at <http://www.adhe.edu/locations> the Division of Higher Education colleges and universities page under the two-year and four-year public college and universities tabs. Please contact the Arkansas Army National Guard Education and Incentives Branch if you have questions regarding the eligibility of any of the institutions listed.

## ~~APPENDIX B~~

### ~~Definitions/Acronyms~~

~~ADHE—Arkansas Division of Higher Education~~

~~ARNG—Arkansas National Guard~~

~~AWOL—Absent Without Leave~~



~~Course of Study— the time during which a student is continuously enrolled in pursuit of a credential.~~  
~~Education Office— the Arkansas Army National Guard Education Office; facilitates processing of both~~  
~~Army and Air National Guard requests after service component verification~~

~~ESO— Education Services Officer~~

~~ETP— Exception to Policy~~

~~FAFSA— Free Application for Federal Student Aid~~

~~Guardsmen/Guardsmen— active member of Arkansas Army or Air National Guard Initial Active Duty~~  
~~Training— completion of basic training or credit for a basic course through the Reserve Officer Training~~  
~~Corps (ROTC)~~

~~Institution of Higher Education— any state supported public institution~~

~~MGB— Montgomery GI Bill~~

~~NGTW— Arkansas National Guard Tuition Waiver~~

~~TAG— The Adjutant General~~

State of Arkansas  
94th General Assembly  
Regular Session, 2023

# A Bill

SENATE BILL 200

By: Senator J. English  
By: Representative M. Berry

## For An Act To Be Entitled

AN ACT TO AMEND VARIOUS PROVISIONS OF LAW RELATED TO  
TUITION BENEFITS FOR SOLDIERS AND AIRMEN OF THE  
ARKANSAS NATIONAL GUARD; AND FOR OTHER PURPOSES.

## Subtitle

TO AMEND VARIOUS PROVISIONS OF LAW  
RELATED TO TUITION BENEFITS FOR SOLDIERS  
AND AIRMEN OF THE ARKANSAS NATIONAL  
GUARD.

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

SECTION 1. Arkansas Code § 6-60-214(a)(1), concerning qualifications  
needed for a soldier or an airman of the Arkansas National Guard to receive  
tuition benefits at a state-supported institution of higher education, is  
amended to read as follows:

(1) Is an Arkansas resident or is eligible for in-state tuition  
under § 6-60-205;

SECTION 2. Arkansas Code § 6-60-214(c)(1), concerning the maximum  
number of credit hours for which the tuition-free benefit is available for a  
soldier or an airman of the Arkansas National Guard, is amended to read as  
follows:

(c)(1)(A) The tuition-free benefit under this section is available for  
a maximum of one hundred twenty (120) semester credit hours.

(B)(i) However, in the event that a soldier or an airman



1 is enrolled in a degree program that exceeds one hundred twenty (120) hours,  
2 the Adjutant General may recommend an exception to the semester credit hour  
3 cap under subdivision (c)(1)(A) of this section.

4 (ii) An exception granted under subdivision  
5 (c)(1)(B)(i) of this section shall be subject to the:

6 (a) Availability of funds; and

7 (b) Approval of the Division of Higher  
8 Education.

9  
10 SECTION 3. Arkansas Code § 6-60-214(d)(2), concerning the number of  
11 semester credit hours a soldier or an airman of the Arkansas National Guard  
12 may drop, is amended to add an additional subdivision to read as follows:

13 (2) Shall not drop more than six (6) semester credit hours  
14 during the period in which the soldier or airman receives the tuition-free  
15 benefit under this section unless dropping the courses is necessitated by a:

16 (A) Mobilization that interrupts the enrollment of the  
17 soldier or airman in the state-supported institution of higher education; ~~or~~

18 (B) Medical reason approved by the Adjutant General; or

19 (C) Reason recommended for approval by the Adjutant  
20 General and approved by the division.

21  
22  
23 **APPROVED: 3/13/23**  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36