

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas
2 84th General Assembly
3 Regular Session, 2003
4

As Engrossed: S3/24/03 S3/26/03 S4/1/03

A Bill

SENATE BILL 911

5 By: Senator Baker
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For An Act To Be Entitled

9 AN ACT TO AMEND THE ANTISTACKING POLICY FOR
10 HIGHER EDUCATION STUDENT FINANCIAL AID AWARDS;
11 AND FOR OTHER PURPOSES.
12

Subtitle

13 AN ACT TO AMEND THE ANTISTACKING POLICY
14 FOR HIGHER EDUCATION STUDENT FINANCIAL
15 AID AWARDS.
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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 § 6-80-105 is amended to read as follows:*

22 *6-80-105. Student financial aid - Antistacking.*

23 *(a)(1) ~~No~~ If a student receives a student aid package which includes*
24 *both private and public funds, no postsecondary institution shall use public*
25 *funds in a the student aid package which exceeds the recognized cost of*
26 *attendance, at the institution where the student enrolls.*

27 *(2) Public funds are defined to include Department of Higher*
28 *Education scholarships and grants, Pell grants, state general revenues,*
29 *tuition, or local tax revenue.*

30 *~~(b)(3)~~ All postsecondary institutions shall report to the*
31 *department the total amount of financial aid from ~~all sources~~ each source for*
32 *any student who receives an award from a department program.*

33 *~~(e)(1)(4)(A)~~ When a student receives a total aid package that*
34 *includes private and public funds ~~and~~ which exceeds the cost of attendance*
35 *the institution shall repay public funds in the amount exceeding total cost*
36 *of attendance.*



1 ~~(2)~~(B) Such funds repaid shall be credited to the Higher
2 Education Grants Fund Account.

3 (5) The provisions of this subsection (a) shall not be construed
4 to limit the amount of private funds that may be included in a student
5 financial aid package.

6 (b)(1)(A) If a student receives a student aid package which includes
7 only public funds, no postsecondary institution shall use public funds in the
8 student aid package to exceed the direct cost of education which shall
9 include only tuition, fees, books, mandatory materials, and room and board at
10 the institution where the student enrolls.

11 (B)(i) If a student lives off-campus, the institution
12 shall calculate the room and board allowance for the student at the on-campus
13 room and board rate.

14 (ii) If an institution does not offer on-campus room
15 and board, that institution shall calculate a room and board charge for
16 students by using federal guidelines.

17 (2) Public funds are defined to include Department of Higher
18 Education scholarships and grants, Pell grants, state general revenues,
19 tuition, or local tax revenue.

20 (3) All postsecondary institutions shall report to the
21 department the total amount of financial aid from each source for any student
22 who receives an award from a department program.

23 (4)(A) When a student receives a total aid package which
24 includes only public money and the public funds exceed the cost of tuition,
25 fees, books, mandatory materials, and room and board, the institution shall
26 repay public funds in the amount exceeding the cost of tuition, fees, books,
27 mandatory materials, and room and board.

28 (B) Such funds repaid shall be credited to the Higher
29 Education Grants Fund Account.

30 (5) Pell grants shall be applied first to the direct cost of
31 education, with Department of Higher Education establishing policy and
32 procedure for applying other public funds to a student's financial aid
33 package. The provisions of this section shall not be construed to cause a
34 reduction in a Pell grant award.

35 (c)(1) The Department of Higher Education shall have the authority to
36 waive the restriction under this section on an individual or program basis if

1 the provisions would create a hardship for students.

2 (2) The Arkansas Higher Education Coordinating Board shall adopt
3 by regulation:

4 (A) A procedure for an individual student or postsecondary
5 institution to apply for a waiver of the provisions of this section to the
6 Department of Higher Education; and

7 (B) The criteria the Department of Higher Education shall
8 use to determine if a the provisions of this act will create a hardship for a
9 particular student or program and if the student or program qualifies for a
10 waiver under this subsection (c).

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12 /s/ Baker
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