

1 State of Arkansas
2 90th General Assembly
3 Regular Session, 2015
4

A Bill

HOUSE BILL 1892

5 By: Representatives G. Hodges, Sabin
6

For An Act To Be Entitled

8 AN ACT TO PROVIDE A RIGHT OF COUNSEL FOR STUDENTS
9 DURING DISCIPLINARY APPEAL PROCEEDINGS AT STATE-
10 SUPPORTED INSTITUTIONS OF HIGHER EDUCATION; AND FOR
11 OTHER PURPOSES.
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Subtitle

14 TO PROVIDE A RIGHT OF COUNSEL FOR
15 STUDENTS DURING DISCIPLINARY APPEAL
16 PROCEEDINGS AT STATE-SUPPORTED
17 INSTITUTIONS OF HIGHER EDUCATION.
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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23 SECTION 1. Arkansas Code Title 6, Chapter 60, Subchapter 1, is amended
24 to add an additional section to read as follows:

25 6-60-105. Right to counsel.

26 (a) As used in this section, "disciplinary appeal proceeding" includes
27 an appeal hearing or other appeal procedure conducted by the institution of
28 higher education relating to the alleged violation by the student that has
29 resulted in disciplinary action against the student.

30 (b)(1)(A) A student enrolled at a state-supported institution of
31 higher education who has received a suspension of ten (10) or more days or
32 expulsion may request a disciplinary appeal proceeding and choose to be
33 represented at the student's expense by a licensed attorney or, if the
34 student prefers, a non-attorney advocate who, in either case, may fully
35 participate during the disciplinary appeal proceeding used by the state-
36 supported institution of higher education except as provided under



1 subdivision (b)(2) of this section.

2 (B) If the disciplinary appeal proceeding used by the
3 state-supported institution of higher education arises from a complaint by a
4 student against another student, the student who filed the complaint also has
5 the right to be represented as allowed under subdivision (b)(1)(A) of this
6 section.

7 (2) A student shall not have the right to be represented under
8 this section by a licensed attorney or non-attorney advocate in a
9 disciplinary appeal proceeding used by the state-supported institution of
10 higher education, if any, regarding any allegation of academic dishonesty as
11 defined by the state-supported institution of higher education.

12 (c) This section does not create the right of a student to be
13 represented at public expense.

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16 **APPROVED: 04/07/2015**
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