

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.

Act 16 of the Regular Session

1 State of Arkansas
2 86th General Assembly
3 Regular Session, 2007
4

As Engrossed: H1/10/07

A Bill

HOUSE BILL 1028

5 By: Representatives George, Wells, Overbey, Dunn, Wood
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8 **For An Act To Be Entitled**

9 AN ACT TO ALLOW A STUDENT WHOSE SPOUSE IS CALLED
10 INTO MILITARY SERVICE TO RECEIVE COMPENSATION FOR
11 THE RESULTING MONETARY LOSS OF CEASING ATTENDANCE
12 AT A STATE-SUPPORTED POSTSECONDARY EDUCATIONAL
13 INSTITUTION WITHOUT COMPLETING THE COURSE OR
14 RECEIVING A GRADE IF THE STUDENT OR THE STUDENT'S
15 SPOUSE HAS DEPENDENT CHILDREN WHO RESIDE IN THE
16 HOUSEHOLD; AND FOR OTHER PURPOSES.
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18 **Subtitle**

19 TO ALLOW A STUDENT WHOSE SPOUSE IS
20 CALLED INTO MILITARY SERVICE TO RECEIVE
21 COMPENSATION FOR THE RESULTING MONETARY
22 LOSS OF CEASING ATTENDANCE AT A STATE-
23 SUPPORTED POSTSECONDARY EDUCATIONAL
24 INSTITUTION.
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27 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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29 SECTION 1. Arkansas Code § 6-61-112 is amended to read as follows:

30 6-61-112. ~~Students~~ A student or a student's spouse called into military
31 service.

32 (a) A student who ceases attendance at a state-supported postsecondary
33 educational institution without completing and receiving a grade in one (1)
34 or more courses ~~due to military activation or deployment~~ shall receive
35 compensation for the resulting monetary loss as provided under this section



1 if the student ceases attendance because:

2 (1) The student is activated or deployed by the military; or

3 (2) The student's spouse is activated or deployed by the
4 military and the student or the student's spouse has dependent children
5 residing in the household.

6 (b)(1) To be eligible for the compensation described under this
7 section, the student must provide, prior to activation or deployment, an
8 original or official copy of the military activation or deployment orders to
9 the registrar or other designated school official of the state-supported
10 postsecondary educational institution at which the student is enrolled at the
11 time of military activation or deployment.

12 (2) To be eligible for the compensation described under this
13 section, a student whose spouse is a service member shall provide proof of
14 registration with the Defense Enrollment Eligibility Reporting System (DEERS)
15 of the Department of Defense that establishes that dependent children reside
16 in the household of the student and service member.

17 (c)(1) The student shall choose from one (1) of the following three
18 (3) compensatory options regarding tuition:

19 (A) A complete refund of tuition and general fees that are
20 assessed against all students at the institution;

21 (B) At least one (1) year to complete the course work
22 after the student's or student's spouse's deactivation; or

23 (C)(i) Free tuition for one (1) semester at the
24 institution where the student's attendance was interrupted unless federal aid
25 is made available to compensate the student for the resulting monetary loss
26 related to the student's or student's spouse's activation or deployment.

27 (ii) Federal aid shall not include Pell Grants,
28 other federal grants, or other monetary benefits paid to the student directly
29 or at the student's direction.

30 (iii) If a student or student's spouse is activated
31 or deployed during a semester, the student shall not receive more than one
32 (1) semester of free tuition under this subdivision (c)(1)(C).

33 (2) This subsection shall not allow a student to recover any
34 amount in excess of the student's actual monetary loss.

35 (d)(1) The student shall receive a proportionate refund of room,
36 board, and other fees that were paid to the institution based on the date of

1 the student's notice of withdrawal from the institution.

2 (2) If an institution contracts for room, board, or other
3 services from a third party, then the third-party contractor shall provide a
4 refund to the institution for the services or fees in an amount equal to the
5 student's monetary loss under subdivision (c)(1) of this section;

6 (e) The student shall receive the maximum price, based on condition,
7 for the textbooks related to the uncompleted courses if the institution has a
8 policy of repurchasing textbooks.

9 (f)(1) A student's eligibility for a state-supported scholarship,
10 grant, or loan for attendance at a postsecondary educational institution
11 shall not be affected by the student's failure to complete any course work
12 because of the student's or student's spouse's military activation or
13 deployment.

14 (2) The Department of Higher Education shall adopt the necessary
15 rules to ensure that state-supported scholarship, grant, and loan programs
16 comply with the provisions of this section.

17 (g)(1) For each fiscal year, each state-supported institution of
18 higher education in the state shall report the type and amount of
19 compensatory options provided under this section to the department.

20 (2) The department shall report to the House Interim Committee
21 on Aging, Children and Youth, Legislative and Military Affairs and the Senate
22 Interim Committee on Children and Youth regarding the type and amount of
23 compensatory options provided under this section by each state-supported
24 institution of higher education no later than October 1 of each year
25 beginning in 2006 and each year thereafter.

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27 */s/ George, et al*

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29 *APPROVED: 1/29/2007*

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