

Stricken language would be deleted from and underlined language would be added to law as it existed prior to the 82nd General Assembly.

1 State of Arkansas  
2 82nd General Assembly  
3 Regular Session, 1999  
4

# A Bill

Act 1139 of 1999  
SENATE BILL 793

5 By: Senator Bisbee  
6  
7

## For An Act To Be Entitled

8 "AN ACT TO REPEAL THE ARKANSAS NATIONAL GUARD  
9 SCHOLARSHIP PROGRAM ACT OF 1989."  
10

## Subtitle

11 "AN ACT TO REPEAL THE ARKANSAS NATIONAL  
12 GUARD SCHOLARSHIP PROGRAM ACT OF 1989."  
13  
14  
15  
16

17 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
18

19 SECTION 1. Title 6, Chapter 82, Subchapter 8 of the Arkansas Code is  
20 hereby repealed:  
21

22 ~~6-82-801. Title.~~

23 ~~This subchapter shall be known and cited as "The Arkansas National Guard~~  
24 ~~Scholarship Program Act of 1989".~~  
25

26 ~~6-82-802. Definitions.~~

27 ~~As used in this subchapter, and unless the context requires a different~~  
28 ~~meaning:~~

29 ~~(1) "Academic excellence at the high school level" means a nine~~  
30 ~~hundred fifty (950) combined Scholastic Aptitude Test score or a twenty (20)~~  
31 ~~American College Test score;~~

32 ~~(2) "Academic year" means two (2) semesters or three (3)~~  
33 ~~quarters, fall, winter, and spring;~~

34 ~~(3) "Applicant" means a student who has applied to his or her~~  
35 ~~commanding officer and forwarded his or her application thru command channels~~  
36 ~~to the Adjutant General for the scholarship;~~

1           ~~(4) "Authority" means the Adjutant General, State of Arkansas;~~

2           ~~(5) "Citizen of Arkansas" means a person who is a citizen of the~~  
 3 ~~United States who has established a permanent domicile in the State of~~  
 4 ~~Arkansas;~~

5           ~~(6) "College" means any regionally accredited state-supported~~  
 6 ~~Arkansas college or university;~~

7           ~~(7) "Committee" means the selection committee as described in~~  
 8 ~~this subchapter;~~

9           ~~(8) "Eligible student" means a person who meets all of the~~  
 10 ~~eligibility requirements as provided for under the provisions of this~~  
 11 ~~subchapter;~~

12           ~~(9) "Full-time support" means a person who meets all of the~~  
 13 ~~eligibility requirements as provided for under the provisions of this~~  
 14 ~~subchapter;~~

15           ~~(10) "Legal resident of Arkansas" means a citizen of the United~~  
 16 ~~States who is domiciled in the State of Arkansas pursuant to rules set forth~~  
 17 ~~in the regulations governing residency for other state educational grant~~  
 18 ~~programs;~~

19           ~~(11) "Nominee" means an applicant who has been nominated by his~~  
 20 ~~or her Arkansas National Guard unit commander for the scholarship;~~

21           ~~(12) "Recipient" means a nominee who has been selected by the~~  
 22 ~~committee to receive the scholarship;~~

23           ~~(13) "Required academic standards at the college level" means~~  
 24 ~~maintaining at least a 2.5 grade point average on a 4.0 scale. If a recipient~~  
 25 ~~drops below a 2.5 grade point average for two (2) consecutive quarters or~~  
 26 ~~semesters, then he or she is not maintaining the required academic standards;~~  
 27 ~~and~~

28           ~~(14) "Scholarship" means the Arkansas military scholarship as~~  
 29 ~~provided for under the provisions of this subchapter.~~

30  
 31       ~~6-82-803. Rules and regulations.~~

32       ~~The Adjutant General shall have the authority to issue necessary rules~~  
 33 ~~and regulations to implement and carry out the provisions of this subchapter.~~

34  
 35       ~~6-82-804. Creation.~~

36       ~~There is established the Arkansas National Guard Scholarship Program to~~

1 ~~provide scholarships to eligible students for four (4) years of study at a~~  
 2 ~~state-supported Arkansas college or university or assistance for training at a~~  
 3 ~~state-supported vocational and technical school who agree to serve with any~~  
 4 ~~service component unit of the Arkansas National Guard and, upon graduation,~~  
 5 ~~agree to serve an additional six (6) years in the Arkansas National Guard.~~

6  
 7 ~~6-82-805. Scholarship selection committee.~~

8 ~~(a) There is established the Arkansas National Guard Scholarship~~  
 9 ~~Selection Committee consisting of five (5) members who are appointed by and~~  
 10 ~~will serve at the pleasure of the authority.~~

11 ~~(b)(1) Three (3) members of the committee shall be officers in the~~  
 12 ~~Arkansas National Guard, with at least one (1) member from the Army National~~  
 13 ~~Guard and one (1) member from the Air National Guard.~~

14 ~~(2) The remaining two (2) members shall be noncommissioned~~  
 15 ~~officers in the Arkansas National Guard:~~

16 ~~(A) One (1) from the Army National Guard; and~~

17 ~~(B) One (1) from the Air National Guard.~~

18 ~~(c) The senior officer shall serve as chairman of the committee.~~

19  
 20 ~~6-82-806. College scholarships -- Eligibility generally.~~

21 ~~(a) The student must be a legal resident of Arkansas for a minimum of~~  
 22 ~~twelve (12) months immediately preceding the date of the beginning of the fall~~  
 23 ~~semester at the college or university.~~

24 ~~(b) The student must qualify for regular admission to a regional~~  
 25 ~~accredited state-supported Arkansas college or university.~~

26 ~~(c) The student must have demonstrated academic excellence at the high~~  
 27 ~~school level.~~

28 ~~(d) The student must meet mental and physical health standards required~~  
 29 ~~for membership in the Arkansas National Guard.~~

30 ~~(e) The student must be an entering freshman in order to receive a full~~  
 31 ~~four-year scholarship.~~

32  
 33 ~~6-82-807. College scholarships -- Maintaining eligibility.~~

34 ~~(a) The recipient must maintain required academic standards. This~~  
 35 ~~requirement may be waived upon majority vote of the committee.~~

36 ~~(b) The recipient must maintain full-time enrollment status.~~

1           ~~(c) The recipient must maintain membership in the Arkansas National~~  
2 ~~Guard within one (1) year of the selection year.~~

3           ~~(d)(1) The recipient must demonstrate qualities required of an officer~~  
4 ~~or noncommissioned officer in the Arkansas National Guard.~~

5           ~~(2) Certification of compliance shall be made at least once~~  
6 ~~annually, no later than July, by the National Guard unit commander.~~

7           ~~(e) The recipient shall not receive any other financial aid funding~~  
8 ~~authorized by the laws of Arkansas.~~

9  
10           ~~6-82-808. College scholarships – Application – Physical examination.~~

11           ~~(a) The student shall be informed of the scholarship through the~~  
12 ~~combined efforts of the college, the Arkansas National Guard, and high school~~  
13 ~~counselors.~~

14           ~~(b) The student shall request an application from his or her Arkansas~~  
15 ~~National Guard unit commander.~~

16           ~~(c) The unit commander mails an application, which is supplied by the~~  
17 ~~authority, to the student.~~

18           ~~(d) The student completes an application, writes an essay stating why~~  
19 ~~he or she thinks he or she is deserving of the scholarship and discusses his~~  
20 ~~or her career goals, submits an official copy of his or her high school~~  
21 ~~transcript or General Educational Development test score sheet, as well as the~~  
22 ~~official copy of the Scholastic Aptitude Test scores or American College Test~~  
23 ~~scores, and sends them back to the unit commander, along with a full-length~~  
24 ~~photograph of himself or herself.~~

25           ~~(e) If the unit commander chooses to nominate the student, he or she~~  
26 ~~must sign the application and send it to the authority along with the~~  
27 ~~student's completed application package.~~

28           ~~(f) The deadline date for applications to be in to the authority is~~  
29 ~~January 1.~~

30           ~~(g) After the application is received by the authority, a medical~~  
31 ~~report form is sent to the student. The student must complete his or her~~  
32 ~~section and obtain a physical examination. The physician completes the form~~  
33 ~~and forwards it to the authority.~~

34  
35           ~~6-82-809. College scholarships – Selection.~~

36           ~~(a) The authority must receive the application information from the~~

1 ~~unit commander through command channels by January 1.~~

2 ~~(b) Applicants who do not meet the eligibility requirements of~~  
3 ~~residency, academic excellence, and qualification for regular admission to the~~  
4 ~~college or university shall be eliminated by the authority.~~

5 ~~(c) The eligible nominees shall be evaluated by the authority based on~~  
6 ~~high school grade average, General Educational Development Test subjective~~  
7 ~~equivalency, Scholastic Aptitude Test score, or American College Test score,~~  
8 ~~extracurricular activities, leadership ability, the quality of the student's~~  
9 ~~essay, the unit commander's comments and references.~~

10 ~~(d) By February 1, the authority shall have no more than twenty-four~~  
11 ~~(24) nominees selected.~~

12 ~~(e) The authority shall notify the eliminated nominees.~~

13 ~~(f) The information on the qualified nominees shall be turned over to~~  
14 ~~the committee by February 1.~~

15 ~~(g) The committee may select up to twelve (12) of the most qualified~~  
16 ~~nominees to be recipients of the scholarship, plus up to twelve (12)~~  
17 ~~alternates.~~

18 ~~(h) The committee names the final recipients by March 1.~~

19 ~~(i) The recipients and alternates, as necessary, shall be given~~  
20 ~~physicals by the Arkansas National Guard to verify mental and physical health~~  
21 ~~requirements. Enlistment in the Arkansas National Guard must be completed by~~  
22 ~~May 1.~~

23 ~~(j) The committee shall notify each recipient, each member's unit~~  
24 ~~commander, and the Adjutant General of the Arkansas National Guard.~~

25 ~~(k) The nominees not selected shall be notified by the committee.~~

26  
27 ~~6-82-810. College scholarships - Vacancies.~~

28 ~~(a) In the event that a recipient fails to meet the standards for~~  
29 ~~retention or terminates participation in the program, the committee shall~~  
30 ~~award a three-year, two-year, or one-year scholarship as appropriate to fill~~  
31 ~~the vacancy.~~

32 ~~(b) The scholarship shall begin in September immediately following the~~  
33 ~~award.~~

34 ~~(c)(1) The candidates shall be required to meet all criteria~~  
35 ~~established for the four-year scholarship, and they shall be selected from the~~  
36 ~~current list of applicants.~~

1           ~~(2) They shall incur the same obligations as a four-year~~  
 2 ~~scholarship recipient; provided, however, that such recipients of scholarships~~  
 3 ~~of less than four (4) years shall only be required to serve the number of~~  
 4 ~~years of such scholarship.~~

5  
 6           ~~6-82-811. College scholarships – Amount – Disbursement.~~

7           ~~(a) Amount. The scholarships shall not exceed three thousand dollars~~  
 8 ~~(\$3,000) for each academic year.~~

9           ~~(b) Disbursement. (1) The authority shall be notified by the college or~~  
 10 ~~university of the dollar amount of each scholarship.~~

11           ~~(2) A recipient must sign a promissory note annually,~~  
 12 ~~acknowledging the terms of the scholarship and obligating the student to serve~~  
 13 ~~or repay, before a check will be disbursed.~~

14           ~~(3)(A) Eligible recipients are entitled to receive an annual~~  
 15 ~~scholarship award for each of the four (4) academic years of study at the~~  
 16 ~~college or university, prorated for each quarter or term.~~

17           ~~(B) For each of these terms, the recipient's maximum~~  
 18 ~~entitlement is one-third (1/3) the annual award for the academic year.~~

19           ~~(C) A recipient may only receive the scholarship for a~~  
 20 ~~maximum of eight (8) academic semesters, or the equivalent quarters.~~

21           ~~(4) The authority prepares individual recipient checks for each~~  
 22 ~~school term award amount, made payable to the recipient and mailed to the~~  
 23 ~~financial aid office of the college with a check transmittal letter, for~~  
 24 ~~disbursement to the recipient upon verification that the recipient is meeting~~  
 25 ~~the standards for maintaining eligibility.~~

26           ~~(5)(A) The authority's check transmittal letter lists each~~  
 27 ~~student recipient of the scholarship for the school term by name and social~~  
 28 ~~security number.~~

29           ~~(B) During the registration process, the student picks up~~  
 30 ~~his or her award check, signing the check transmittal letter in the~~  
 31 ~~appropriate column and thereby certifying receipt of the check.~~

32           ~~(6) The college must return the check transmittal letter to the~~  
 33 ~~authority within thirty (30) days following the school term registration~~  
 34 ~~process, accompanied by any undisbursed award checks.~~

35  
 36           ~~6-82-812. College scholarships – Loss of eligibility.~~

1 ~~\_\_\_\_\_ (a)(1) If at any time a recipient fails to meet the standards and~~  
 2 ~~requirements for continued eligibility, such recipient shall thereby lose~~  
 3 ~~eligibility for a scholarship.~~

4 ~~\_\_\_\_\_ (2) The committee shall promptly notify the authority when a~~  
 5 ~~recipient loses eligibility.~~

6 ~~\_\_\_\_\_ (b) If a recipient loses the scholarship, the total dollar amount~~  
 7 ~~received by the recipient must be repaid to the authority.~~

8  
 9 ~~\_\_\_\_\_ 6-82-813. College scholarships - Repayment.~~

10 ~~\_\_\_\_\_ (a) Upon graduation from the college or university, the recipient~~  
 11 ~~agrees to serve not less than six (6) years in the Arkansas National Guard.~~

12 ~~\_\_\_\_\_ (b) If a student elects to terminate participation in this program or~~  
 13 ~~is declared ineligible for continuation in the program, he or she must serve~~  
 14 ~~in the Arkansas National Guard, upon concurrence of the Arkansas National~~  
 15 ~~Guard, for at least four (4) years from the date of termination of his or her~~  
 16 ~~participation in the program.~~

17 ~~\_\_\_\_\_ (c)(1) If the recipient does not meet the service obligation, he or she~~  
 18 ~~must pay to the authority an amount equal to the total dollar value received,~~  
 19 ~~plus interest, within five (5) years after terminating enrollment at the~~  
 20 ~~college or university.~~

21 ~~\_\_\_\_\_ (2) The interest rate shall correspond to the current rate of the~~  
 22 ~~state student loan program.~~

23  
 24 ~~\_\_\_\_\_ 6-82-814. Vocational and technical scholarships - Eligibility generally.~~

25 ~~\_\_\_\_\_ (a) The student must be a legal resident of Arkansas for a minimum of~~  
 26 ~~twelve (12) months immediately preceding the date of admission to an Arkansas~~  
 27 ~~state-supported vocational and technical school.~~

28 ~~\_\_\_\_\_ (b) The student must qualify for admission to an accredited Arkansas~~  
 29 ~~state-supported vocational and technical school.~~

30 ~~\_\_\_\_\_ (c) The student must have demonstrated potential for successful~~  
 31 ~~completion of vocational and technical training. This potential must be~~  
 32 ~~demonstrated by past academic records and military duty performance.~~

33 ~~\_\_\_\_\_ (d) The student must meet mental and physical health standards required~~  
 34 ~~for membership in the Arkansas National Guard.~~

35  
 36 ~~\_\_\_\_\_ 6-82-815. Vocational and technical scholarships - Maintaining~~

1 eligibility.

2 ~~\_\_\_\_\_ (a) The recipient must maintain required academic standards.~~

3 ~~\_\_\_\_\_ (b) The recipient must maintain membership in the Arkansas National~~  
4 ~~Guard.~~

5 ~~\_\_\_\_\_ (c) The recipient shall not receive any other financial aid funding~~  
6 ~~authorized by the laws of Arkansas.~~

7  
8 ~~\_\_\_\_\_ 6-82-816. Vocational and technical scholarships - Application.~~

9 ~~\_\_\_\_\_ (a) The student shall be informed of the scholarship through the~~  
10 ~~combined efforts of the vocational and technical school, the Arkansas National~~  
11 ~~Guard, and high school counselors.~~

12 ~~\_\_\_\_\_ (b) The student shall request an application from his or her Arkansas~~  
13 ~~National Guard unit commanding officer.~~

14 ~~\_\_\_\_\_ (c) The student completes an application and writes an essay stating~~  
15 ~~why he or she thinks he or she is deserving of the scholarship and discusses~~  
16 ~~his or her career goals and sends both back to the Arkansas National Guard~~  
17 ~~unit, along with a full length photograph of himself or herself.~~

18 ~~\_\_\_\_\_ (d) The student submits an official copy of his or her high school~~  
19 ~~transcript or General Educational Development Test score sheet.~~

20 ~~\_\_\_\_\_ (e) If the unit's commanding officer chooses to nominate the student,~~  
21 ~~he or she must sign the application and send it to the authority along with~~  
22 ~~the student's essay.~~

23 ~~\_\_\_\_\_ (f) The deadline date for applications to be in to the authority is~~  
24 ~~January 1.~~

25  
26 ~~\_\_\_\_\_ 6-82-817. Vocational and technical scholarships - Selection.~~

27 ~~\_\_\_\_\_ (a) The authority receives the application information from the unit~~  
28 ~~commander by January 1.~~

29 ~~\_\_\_\_\_ (b) Applicants who do not meet the eligibility requirements of~~  
30 ~~residency and academic qualification for admission to the vocational and~~  
31 ~~technical school shall be eliminated by the authority.~~

32 ~~\_\_\_\_\_ (c) The eligible nominees shall be evaluated by the authority based on~~  
33 ~~high school grade average, General Educational Development Test subjective~~  
34 ~~equivalency, extracurricular activities, leadership ability, the quality of~~  
35 ~~the student's essay, and the unit commander's comments and references.~~

36 ~~\_\_\_\_\_ (d) By February 1, the authority shall have no more than twenty-four~~



~~(24) nominees selected.~~

~~(e) The authority shall notify the eliminated nominees.~~

~~(f) The information on the qualified nominees shall be turned over to the committee by February 1.~~

~~(g) The committee may select up to twelve (12) of the most qualified nominees to be recipients of the scholarship, plus up to twelve (12) alternates.~~

~~(h) The committee names the final recipients by March 1.~~

~~6-82-818. Vocational and technical scholarships - Amount - Disbursement.~~

~~(a) Amount. The scholarship shall not exceed three thousand dollars (\$3,000) per academic year.~~

~~(b) Disbursement. (1) The authority shall be notified by the vocational and technical school of the dollar amount cost for tuition and books for the duration of the course.~~

~~(2) The authority prepares individual recipient checks for each school term award amount, made payable to the recipient and mailed to the financial aid office of the vocational and technical school with a check transmittal letter for disbursement to the recipient upon verification that the recipient is meeting the standards for maintaining eligibility.~~

~~(3)(A) The authority's check transmittal letter lists each student recipient of the scholarship for the school term by name and social security number.~~

~~(B) During the registration process, the student picks up his or her award check, signing the check transmittal letter in the appropriate column and thereby certifying receipt of the check.~~

~~(4) The vocational and technical school must return the check transmittal letter to the authority within thirty (30) days following the school term registration process, accompanied by any undisbursed award checks.~~

~~6-82-819. Vocational and technical scholarships - Loss - Repayment.~~

~~(a) If at any time a recipient fails to meet the standards and requirements for continued eligibility as provided by the authority, such recipient shall thereby lose eligibility for a scholarship.~~

~~(b) If a recipient loses the scholarship, the total dollar amount received by the recipient must be repaid. APPROVED: 4/6/1999~~