

1 State of Arkansas

2 80th General Assembly

3 Regular Session, 1995

4 By: Senators Malone and Bell

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For An Act To Be Entitled

8 "AN ACT DESIGNATING THE STATE BOARD OF HIGHER EDUCATION AS
9 THE STATE POSTSECONDARY REVIEW ENTITY FOR ARKANSAS UNDER
10 TITLE IV, PART H, OF THE FEDERAL HIGHER EDUCATION ACT
11 AMENDMENTS OF 1992; TO DECLARE AN EMERGENCY; AND FOR OTHER
12 PURPOSES."

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Subtitle

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20 WHEREAS, the Governor of the State of Arkansas, pursuant to the
21 applicable provision of the federal Higher Education Act of 1965, as amended
22 by the Higher Education Act Amendments of 1992, has designated the Arkansas
23 Department of Higher Education to be the State Postsecondary Review Entity
24 for Arkansas for the purpose of participating in the program established by
25 the Higher Education Act Amendments of 1992; and

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27 WHEREAS, the Arkansas Department of Higher Education, created by Act 38
28 of 1971, consists of the State Board of Higher Education and any other
29 divisions which may be created by law and placed under the Department of
30 Higher Education; and

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32 WHEREAS, the purpose of this Act is to establish the State Board of
33 Higher Education as the body having final administrative authority, pursuant
34 to Act 38 of 1971, over the State Postsecondary Review Program in Arkansas,
35 and to confirm this designation and confer additional authority and powers

1 upon the State Board of Higher Education as may be necessary.

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3 NOW THEREFORE,

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

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6 SECTION 1. The State Board of Higher Education, created by and
7 pursuant to the provisions of Act 38 of 1971, as codified in § 25-7-101, is
8 hereby designated as the State Postsecondary Review Entity for Arkansas under
9 Title IV, Part H, of the Higher Education Act Amendments of 1992, in order to
10 provide for the continuing eligibility for federal student financial aid of
11 existing postsecondary institutions located in the state and for any
12 postsecondary institution hereafter established.

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14 SECTION 2. In fulfilling the duties specified under this act, the
15 State Board of Higher Education shall comply with the Arkansas Administrative
16 Procedure Act, codified at § 25-15-201 et seq.

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18 SECTION 3. All provisions of this act of a general and permanent
19 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas
20 Code Revision Commission shall incorporate the same in the Code.

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22 SECTION 4. If any provision of this act or the application thereof to
23 any person or circumstance is held invalid, such invalidity shall not affect
24 other provisions or applications of the act which can be given effect without
25 the invalid provision or application, and to this end the provisions of this
26 act are declared to be severable.

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28 SECTION 5. All laws and parts of laws in conflict with this act are
29 hereby repealed.

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31 SECTION 6. EMERGENCY. It is hereby found and determined by the
32 General Assembly of the State of Arkansas that in order to provide for the
33 continuing eligibility for federal student financial aid of existing
34 postsecondary institutions located in the state and for any postsecondary
35 institution hereafter established, this Act should be given immediate effect.

1 Therefore, an emergency is hereby declared to exist and this Act being
2 necessary for the immediate preservation of the public peace, health and
3 safety shall be in full force and effect from and after its passage and
4 approval.

5 */s/Malone and Bell*
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