

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 85th General Assembly
3 Regular Session, 2005
4

As Engrossed: H1/28/05

A Bill

HOUSE BILL 1201

5 By: Representatives George, Roebuck, Wood, D. Creekmore
6 By: Senators Wilkinson, J. Bookout, Trusty, T. Smith
7

For An Act To Be Entitled

10 AN ACT TO ASSIST STUDENTS AT STATE-SUPPORTED
11 POSTSECONDARY EDUCATIONAL INSTITUTIONS WHO ARE
12 CALLED INTO MILITARY SERVICE; AND FOR OTHER
13 PURPOSES.
14

Subtitle

15 TO ASSIST STUDENTS AT STATE-SUPPORTED
16 POSTSECONDARY EDUCATIONAL INSTITUTIONS
17 WHO ARE CALLED INTO MILITARY SERVICE.
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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 § 6-61-112 is amended to read as follows:
24 6-61-112. Students called into military service.

25 ~~(a) When any person is activated for full-time military service during~~
26 ~~a time of national crisis and therefore is required to cease attending a~~
27 ~~state-supported postsecondary educational institution without completing and~~
28 ~~receiving a grade in one (1) or more courses, the following assistance shall~~
29 ~~be required with regard to courses not completed:~~

30 ~~(1) Such student shall receive a complete refund of tuition and~~
31 ~~such general fees as are assessed against all students at the institution.~~

32 ~~(A) Proportionate refunds of room, board, and other fees~~
33 ~~which were paid to the institution shall be provided to the student, based on~~
34 ~~the date of withdrawal.~~

35 ~~(B) If an institution contracts for services covered by~~
36 ~~fees which have been paid by and refunded to the student, the contractor~~



1 ~~shall provide a like refund to the institution.~~

2 ~~(2) If the institution has a policy of repurchasing textbooks,~~
3 ~~students shall be offered the maximum price, based on condition, for the~~
4 ~~textbooks associated with such courses.~~

5 ~~(b) When a student is required to cease attendance because of such~~
6 ~~military activation without completing and receiving a grade in one (1) or~~
7 ~~more courses, the institution shall provide a reasonable opportunity for~~
8 ~~completion of the courses after deactivation.~~

9 ~~(c) A student activated during the course of a semester shall be~~
10 ~~entitled, within a period of two (2) years following deactivation, to free~~
11 ~~tuition for one (1) semester at the institution where attendance had been~~
12 ~~interrupted unless federal aid is made available for the same purpose.~~

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

17 (b) To be eligible for the compensation described under this section,
18 the student must provide, prior to activation or deployment, an original or
19 official copy of the military activation or deployment orders to the
20 registrar or other designated school official of the state-supported
21 postsecondary educational institution at which the student is enrolled at the
22 time of military activation or deployment.

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

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

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

29 (C)(i) Free tuition for one (1) semester at the
30 institution where the student's attendance was interrupted, unless federal
31 aid is made available to compensate the student for the resulting monetary
32 loss related to the student's activation or deployment.

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

36 (iii) If a student is activated or deployed during a

1 semester, the student shall not receive more than one (1) semester of free
2 tuition under this subdivision (c)(1)(C).

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

5 (d)(1) The student shall receive a proportionate refund of room, board,
6 and other fees that were paid to the institution, based on the date of the
7 student's notice of withdrawal from the institution.

8 (2) If an institution contracts for room, board, or other
9 services from a third party, then the third-party contractor shall provide a
10 refund to the institution for the services or fees in an amount equal to the
11 student's monetary loss under subsection (c)(1);

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

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

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

22 (g)(1) For each fiscal year, each state-supported institution of
23 higher education in the state shall report the type and amount of
24 compensatory options provided under this section to the Department of Higher
25 Education.

26 (2) The Department of Higher Education shall report to the House
27 Interim Committee on Aging, Children and Youth, Legislative and Military
28 Affairs, and the Senate Interim Committee on Children and Youth regarding the
29 type and amount of compensatory options provided under this section by each
30 state-supported institution of higher education no later than October 1 of
31 each year beginning in 2006 and each year thereafter.

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33 SECTION 2. EMERGENCY CLAUSE. It is found and determined by the
34 General Assembly of the State of Arkansas that since September 11, 2001,
35 members of the National Guard and Reserves are being called into active duty
36 more frequently for homeland security duties, for duties related to the fight

1 against terrorism, and for peacekeeping efforts in Iraq; that one of the main
2 recruiting tools used to attract young men and women into military service in
3 the National Guard and Reserves is the offer of financial aid for college
4 tuition and expenses; that students who are members of the National Guard or
5 Reserves are often activated or deployed, which interrupts their educational
6 pursuits and causes them monetary losses; that this act is immediately
7 necessary to prevent the soldiers who serve our country from incurring
8 monetary losses because of their service. Therefore, an emergency is
9 declared to exist and this act being immediately necessary for the
10 preservation of the public peace, health, and safety shall become effective
11 on:

12 (1) The date of its approval by the Governor;

13 (2) If the bill is neither approved nor vetoed by the Governor,
14 the expiration of the period of time during which the Governor may veto the
15 bill; or

16 (3) If the bill is vetoed by the Governor and the veto is
17 overridden, the date the last house overrides the veto.

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19 */s/ George, et al*
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