

State of Arkansas
87th General Assembly
Regular Session, 2009

A Bill

SENATE BILL 865

By: Senator Madison

For An Act To Be Entitled

AN ACT TO REGULATE THE ADMINISTRATION AND USE OF
STATE INSTITUTION OF HIGHER EDUCATION FINANCIAL
ASSISTANCE TO STUDENTS; AND FOR OTHER PURPOSES.

Subtitle

TO REGULATE THE ADMINISTRATION
AND USE OF STATE INSTITUTION OF HIGHER
EDUCATION FINANCIAL ASSISTANCE TO
STUDENTS.

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

SECTION 1. Arkansas Code § 6-82-105 is amended to read as follows:

6-82-105. Administration - Authority of Department of Higher Education.

(a) The Department of Higher Education shall administer all state ~~college~~ institution of higher education financial assistance programs provided by ~~legislation or by~~ law and in so doing shall have the following authority and responsibility with respect to state ~~college~~ institution of higher education financial assistance programs provided by ~~legislation or by~~ law to:

(1) Adopt such rules as the department ~~shall deem~~ considers necessary or appropriate to carry out the purposes of this subchapter;

(2) Establish and consult, as necessary, an advisory committee representing the private and public sectors of postsecondary education in determining guidelines and regulations for administration of the student financial aid programs, including, ~~but not limited to,~~ without limitation



1 rules determining academic ability, financial need, and residency;

2 (3) Prepare application forms, parents' confidential financial
3 statement forms, or any other forms ~~as~~ necessary to properly administer and
4 carry out the purposes of this subchapter and to furnish the forms to persons
5 desiring to make application for state financial aid;

6 (4) Consider all applications for state scholarships;

7 (5) Determine a termination date for the acceptance of
8 applications;

9 (6) Require applicants to file additional information with the
10 department as necessary and appropriate to carry out the purposes of this
11 subchapter and to prevent fraud, misrepresentation, or misleading
12 representation by applicants;

13 (7) Determine the necessary procedures for the awarding of
14 grants ~~should~~ if the number of eligible applicants ~~exceed~~ exceeds funds
15 available;

16 (8) Disburse scholarship grants to qualified students through
17 eligible postsecondary institutions;

18 (9) Approve or determine the eligibility of any state-supported
19 institution of higher education to participate in or receive disbursements of
20 financial aid on behalf of students awarded ~~any~~ state financial assistance
21 provided by ~~legislation or by~~ law;

22 (10) Cooperate with and receive the cooperation of the approved
23 private and public institutions of postsecondary education in the state and
24 their governing bodies in the administration of ~~the~~ scholarship ~~program~~
25 programs;

26 (11) Employ or engage such professional, administrative,
27 clerical, and other employees as ~~may be~~ necessary to assist the department in
28 the performance of its duties and responsibilities; and

29 (12) Provide fair and equitable treatment to all approved
30 institutions and students.

31 (b) All financial assistance and scholarship moneys, including student
32 loans and grants, whether from public or private sources shall be:

33 (1) Distributed to the recipient as soon as possible; and

34 (2) Available for use at any local textbook retailer that
35 collects Arkansas sales tax if the financial assistance or scholarship moneys
36 include funds that may be used for textbooks.