

State of Arkansas
90th General Assembly
Regular Session, 2015

A Bill

HOUSE BILL 1892

By: Representatives G. Hodges, Sabin

For An Act To Be Entitled

AN ACT TO PROVIDE A RIGHT OF COUNSEL FOR STUDENTS DURING DISCIPLINARY APPEAL PROCEEDINGS AT STATE-SUPPORTED INSTITUTIONS OF HIGHER EDUCATION; AND FOR OTHER PURPOSES.

Subtitle

TO PROVIDE A RIGHT OF COUNSEL FOR STUDENTS DURING DISCIPLINARY APPEAL PROCEEDINGS AT STATE-SUPPORTED INSTITUTIONS OF HIGHER EDUCATION.

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

SECTION 1. Arkansas Code Title 6, Chapter 60, Subchapter 1, is amended to add an additional section to read as follows:

6-60-105. Right to counsel.

(a) As used in this section, "disciplinary appeal proceeding" includes an appeal hearing or other appeal procedure conducted by the institution of higher education relating to the alleged violation by the student that has resulted in disciplinary action against the student.

(b)(1)(A) A student enrolled at a state-supported institution of higher education who has received a suspension of ten (10) or more days or expulsion may request a disciplinary appeal proceeding and choose to be represented at the student's expense by a licensed attorney or, if the student prefers, a non-attorney advocate who, in either case, may fully participate during the disciplinary appeal proceeding used by the state-supported institution of higher education except as provided under



subdivision (b)(2) of this section.

(B) If the disciplinary appeal proceeding used by the state-supported institution of higher education arises from a complaint by a student against another student, the student who filed the complaint also has the right to be represented as allowed under subdivision (b)(1)(A) of this section.

(2) A student shall not have the right to be represented under this section by a licensed attorney or non-attorney advocate in a disciplinary appeal proceeding used by the state-supported institution of higher education, if any, regarding any allegation of academic dishonesty as defined by the state-supported institution of higher education.

(c) This section does not create the right of a student to be represented at public expense.

APPROVED: 04/07/2015