

Stricken language would be deleted from and underlined language would be added to present law.

State of Arkansas
94th General Assembly
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As Engrossed: S2/28/23

A Bill

HOUSE BILL 1347

By: Representatives Beck, Andrews, Beaty Jr., Bentley, M. Berry, K. Brown, Joey Carr, A. Collins, Cozart, Crawford, Ennett, Evans, V. Flowers, Furman, Gazaway, Haak, G. Hodges, Hudson, Jean, Ladyman, Long, Maddox, McCollum, McCullough, B. McKenzie, S. Meeks, Milligan, Perry, Pilkington, R. Scott Richardson, Rose, Rye, Scott, Springer, Tosh, Underwood, Vaught, Wing
By: Senators J. Dotson, D. Wallace

For An Act To Be Entitled

AN ACT TO CREATE A FINANCIAL AID APPEALS PROCESS AND COMMITTEE FOR THE DIVISION OF HIGHER EDUCATION; AND FOR OTHER PURPOSES.

Subtitle

TO CREATE A FINANCIAL AID APPEALS PROCESS AND COMMITTEE FOR THE DIVISION OF HIGHER EDUCATION.

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

SECTION 1. Arkansas Code Title 6, Chapter 81, is amended to add an additional subchapter to read as follows:

Subchapter 19 – Financial Aid Appeals Process

6-81-1901. Definitions.

As used in this subchapter:

(1) “Appeals process” means without limitation:

(A) The completion and submission of an appeals application as drafted by the Financial Aid Appeals Committee;

(B) The confirmation of eligibility to appeal and the intention to retain appeals eligibility under this subchapter; and

(C) The completion of a review by the committee that shall



include a determination of eligibility and a final appeals decision;

(2) "Eligibility" means without limitation the applicant:

(A) Is a bona fide resident of the State of Arkansas;

(B) Is enrolled or will be enrolled in a program of study at an eligible postsecondary institution;

(C) Is currently in good standing; and

(D) Is not currently under probationary restrictions for financial aid; and

(3) "Financial aid" means scholarships or grants awarded to a student from public funds, including without limitation:

(A) The Arkansas Academic Challenge Scholarship under § 6-85-201 et seq.; and

(B) Other division scholarship and grant programs, state general revenues, tuition, and local tax revenue.

6-81-1902. Creation.

There is created the Financial Aid Appeals Committee within the Division of Higher Education with the authority to administer the Division of division's appeal process.

6-81-1903. Financial Aid Appeals Committee.

(a) There is established the Financial Aid Appeals Committee, in conjunction with the Governor's administration, to be composed of five (5) representatives of the Division of Higher Education, which shall be responsible for administering the division's appeal process.

(b) Members of the committee shall:

(1) Promulgate reasonable rules necessary to execute the provisions of this subchapter, including without limitation rules addressing the requirements and in conformance with the requirements of the Arkansas Administrative Procedures Act, § 25-15-201 et seq., and other appropriate state laws in promulgating and placing rules into effect for a procedure to resolve disputes arising out of or relating to a student who is no longer considered eligible to receive a scholarship or grant;

(2) Prescribe forms for and regulate the submission of appeals applications;

(3) Determine eligibility of applicants;

- (4) Approve or reject appeals applications;
- (5) Manage, operate, and control all funds appropriated or otherwise contributed for this purpose;
- (6) Administer final determinations of financial aid appeals made by the committee; and
- (7) Report annually to the General Assembly the number of applications for appeals:
 - (A) Received; and
 - (B) Approved.

6-81-1904. Eligibility for appeals.

The Financial Aid Appeals Committee may make appeals decisions for an applicant, with each appeal being expressly made subject to the provisions of this subchapter and § 6-81-1905, if the committee finds that reinstating the appealed scholarship or grant will benefit the student and finds that:

- (1) The applicant is a bona fide resident of Arkansas;
- (2) The applicant is enrolled or will be enrolled in a program of study at an eligible postsecondary institution;
- (3) The applicant is currently in good standing;
- (4) The applicant is not currently under probationary restrictions for financial aid; and
- (5) The application for appeal is submitted within two (2) academic semesters following the initial decision.

6-81-1905. Exclusions and conditions.

(a)(1) In the event an applicant submits an appeal on the basis of failure to maintain full-time enrollment or the necessary grade point average during a previous term, the Financial Aid Appeals Committee may approve proportionate financial aid to be awarded within one (1) semester following the term during which the applicant failed to maintain full-time enrollment or the necessary grade point average.

(2) Proportionate financial aid awarded following failure to maintain full-time enrollment under subdivision (a)(1) of this section is limited to six (6) hours.

(b) The committee shall not provide reimbursement for previous terms.

/s/Beck