

MARK-UP

LAW ENFORCEMENT OFFICERS' DEPENDENTS SCHOLARSHIP PROGRAM RULES AND REGULATIONS

RULE 1 – ORGANIZATION AND STRUCTURE

- I. The Arkansas Department of Higher Education shall administer the Law Enforcement Officers' Dependents Scholarship Program within the policies set by the Arkansas Higher Education Coordinating Board. All formal communications shall be addressed to or signed by the Director of the Arkansas Department of Higher Education or his/her designee.
- II. The final responsibility for determining eligibility of scholarship recipients shall rest with the Director of the Arkansas Department of Higher Education pursuant to the provisions of Act 521 of 1973, Act 47 of 1983, Act 190 of 1989, Act 153 of 1993, Act 1034 of 1999, Act 113 of 2001, Act 158 of 2001 and Act 172 of 2007, **Act 1217 of 2009 and any subsequent legislation.**
- III. When functioning under Act 521 of 1973, Act 47 of 1983, Act 190 of 1989, Act 153 of 1993, Act 1034 of 1999, Act 113 of 2001, Act 158 of 2001, Act 172 of 2007, **Act 1217 of 2009** and any subsequent legislation. The Arkansas Department of Higher Education shall follow the provisions of the Administrative Procedures Act.

RULE 2 – SCHOLARSHIP ELIGIBILITY CRITERIA

- I. In order to be eligible for the Law Enforcement Officers' Dependents Scholarship, the student must be a natural child, adopted child, step child, or spouse of an Arkansas law enforcement officer, fireman, state highway employee, state forestry employee, state correction employee, state park employee, teacher, or Department of Community Punishment employee who was killed or permanently and totally disabled as a result of injuries or wounds which occurred in the performance of duty or in the course of going to or returning from a location where a hazardous situation existed. Scholarship benefits shall not accrue to the dependents if the wounds or injuries suffered by the law enforcement officer, fireman, state highway employee, state forestry employee, state correction employee, state park employee, teacher, or Department of Community Punishment employee are self-inflicted or if death

is self-induced.

A law enforcement officer means:

- A. State highway patrolman, which includes any law enforcement officer, regardless of department or bureau, of the Department of Arkansas State Police;
- B. Municipal and college or university police officers, which includes all law enforcement officers of any municipality, college, or university who are regular duty personnel on full-time status and does not include auxiliary officers or those serving on a temporary or part-time status;
- C. Sheriff or deputy sheriff, which includes all law enforcement officers of full-time status on a regular basis serving the sheriff's department of any county located in Arkansas, but does not include deputy sheriffs who are engaged in administrative or civil duty or deputy sheriffs serving in a temporary capacity or part-time basis;
- D. Constable, which includes all duly elected constables of any beat of any county within the State of Arkansas while actually engaged in the performance of their duties concerning the criminal laws of the county and state; and,
- E. Game warden, which includes all appointed game wardens employed by the State of Arkansas on a full-time duty status while actually engaged in their duties concerning the game laws of this state.

A fireman means:

- A. Any fireman employed on a full-time or volunteer duty status while actually engaged in the performance of his or her duties;

A state highway employee means:

- A. An Arkansas Highway and Transportation Department employee, which is defined as any employee who actively engages in highway maintenance, construction, or traffic operations on the roadways and bridges of the state highway system while the roadways and bridges are open for use by the traveling public;

A state forestry employee means:

- A. An employee of the State Forestry Commission who is actively engaged in his or her duties of fighting forest fires;

A state correction employee means:

- A. Any employee of the Department of Correction or the Department of Correction School District who becomes subject to injury through contact with inmates or parolees of the department;

A state park employee means:

- A. Any employee of the State Parks Division of the Department of Parks and Tourism who is a commissioned law enforcement officer or emergency response employee while actively engaged in the performance of his or her duties; and,

A teacher means:

- A. Any person employed by a public school for the purpose of giving instructions and whose employment requires state certification.

A Department of Community Punishment employee means:

- A. Any employee of the Department of Community Punishment who suffers fatal injuries or wounds or becomes permanently and totally disabled as a result of injuries or wounds which occurred through contact with parolees, probationers, or center residents.

II. To be eligible to receive the Law Enforcement Officer's Dependents Scholarship, the applicant must be:

- A. A child must have been born prior to the date of the death or total and permanent disability (See Rule 2, Section I);
- B. An adopted child must have been adopted prior to or the adoption process must have begun prior to the date of the death or total and permanent disability (See Rule 2, Section I);
- C. A stepchild must have been listed as a dependent on the federal and state income tax returns in each of the five (5) income tax years immediately prior to the death or total and permanent disability and must have received more than one-half (1/2) his or her financial support (See Rule 2, Section I)
- D. Enrolled or accepted for enrollment as an undergraduate student in any Arkansas state-supported college, university or technical institute,
- E. Less than twenty-three (23) years old on or before the first day of the semester or quarter, unless the applicant is a spouse, and,
- F. A bona fide resident of Arkansas, as defined by the Arkansas Department of Higher Education, for at least six (6) months prior to enrollment in an Arkansas institution.

III. Continued Eligibility

The scholarship will be awarded for one academic year and renewed annually up to three years (for a total of 8 semesters) so long as the student maintains a minimum of a 2.0 grade point average on a 4.0 scale and satisfactory progress toward a degree as defined by the institution.

- IV. The spouse will not be eligible for the educational benefits if he or she re-marries. The benefits will cease at the end of the semester in which the spouse is currently enrolled at the time of the marriage.

RULE 3 – APPLICATION PROCESS

I. Applications

- A. Applications and brochures regarding the Law Enforcement Officers' Dependents Scholarship are mailed to the following:
1. Counselors and principals at all public and private high schools in the State; and,
 2. Financial aid officers at all public colleges, universities, and public technical institutes in the state. The institutional financial aid officer is responsible for ensuring that eligible students at their institution are made aware of the Law Enforcement Officers' Dependents Scholarship Program and its benefits.
- B. Applications will be made available online may also be obtained upon request from the Arkansas Department of Higher Education.

II. Submission of Applications

- A. ~~All interested students planning to enroll in a state-supported college, university, or technical institute in Arkansas may apply. The application deadline will be August 1 for the fall term, December 1, for the spring term, May 1 for summer I, and July 1 for summer II.~~

The Arkansas Department of Higher Education shall establish the deadline for receipt of applications. The deadline date shall be clearly printed on the application.

- B. Scholarship applicants shall submit to the Arkansas Department of Higher Education the following:

1. The Law Enforcement Officer's Dependents Scholarship Application;
 2. Documentation in the form of a Death Certificate;
 3. Order & Finding of Facts from the Arkansas State Claims Commission;
 4. A copy of birth certificate, if a dependent child; and,
 5. A copy of their marriage license, if a spouse.
- C. The applicant must apply for the scholarship prior to the published deadline in order to receive the scholarship. Reimbursement can only be made for the year in which the student is currently enrolled and has made application. ~~Applications received after May 1 or the academic year in which the student is enrolled will not be considered and the student will not be eligible for the scholarship.~~

RULE 4 – AWARD PROCESS

- I. Applications and supporting documentation will be reviewed for completeness and to determine whether the applicant meets all the required eligibility requirements. Applicants will be notified within thirty (30) days of receipt of all required documentation of the status of their application.
- II. Eligible students will ~~be mailed~~ **receive** an award notice that contains the conditions of the award, the requirements for continued eligibility, an explanation of the benefits, and the student's responsibilities.
- III. The institution will also ~~be mailed~~ **receive** an award notice that contains the student's name and social security number, the award limits, the conditions of the award, the verification process, and the payment process. The institution will be asked to complete a Reimbursement Form listing all charges covered by this program.
- IV. The institution will be responsible for verifying the student's continuing eligibility each semester.
- V. The award will be renewed annually as long as the student satisfies the continued eligibility requirements as Rule 2, Section V.

RULE 5 – SCHOLARSHIP PAYMENT POLICIES

- I. A recipient may receive up to eight (8) semesters of tuition and fee waivers from the scholarship program. Payment to the scholarship recipient will be in the form of a tuition and fee waiver at the recipient's institution. The Arkansas Department of Higher Education will reimburse the institution ~~at the beginning of~~ **upon verification of enrollment after the 11th day of classes** each semester for approved charges.
- II. The scholarship will pay the cost of tuition at the in-state rate and room in school-owned housing at any state-supported college, university or technical institute within the State of Arkansas. It does not include the cost of the following:
 - A. Books
 - B. Food
 - C. School supplies and materials
 - D. Dues and fees for extracurricular activities
- III. The Arkansas Department of Higher Education will pay the institution for tuition and fees covered by this program at the beginning of each term upon receipt of the Reimbursement Form and verification of the charges.
 - A. Transfer Policy

A recipient who has received a Law Enforcement Officers' Dependents Scholarship may transfer to another eligible institution provided the Arkansas Department of Higher Education receives written notification of the change of status by October 1 for the Fall Term, February 1 for the Winter/Spring Terms, and May 1 for the Summer Terms.
 - B. Withdrawal Policy

Recipients may withdraw from the Law Enforcement Officers' Dependents Scholarship Program upon written notification to, and approval by, the Arkansas Department of Higher Education. The petition shall give the reason for withdrawal and shall be supported with documentation.
 - C. Revocation Policy

The award will be revoked if the recipient fails to:

 1. Enroll in an eligible Arkansas institution;
 2. Notify the Arkansas Department of Higher Education, in writing, of transfer to another eligible institution by October 1 for the Fall

term, February 1 for the Winter and/or Spring Terms, and May 1 for the Summer Terms; or,

3. Petition the Arkansas Department of Higher Education, in writing, for withdrawal from an institution by October 1 for the Fall Term, February 1 for the Winter/Spring Terms, and May 1 for the Summer Terms.

4. **Maintain a minimum GPA of 2.0 on a 4.0 per academic year.**

At the discretion of the Arkansas Department of Higher Education, the award will not be revoked if the ADHE determines that extraordinary circumstances prevented the student from notifying ADHE by the required dates.

D. Military Service

Recipients who are members of the Arkansas National Guard or Armed Forces Reserves units who are called to active duty for reasons other than regular unit training and are unable to complete the current term will not be penalized. They will be placed on deferred status until six (6) months after release from active duty.

RULE 6 – INSTITUTIONAL RESPONSIBILITIES

I. Administrative Agreement

The chief executive officer of the state-supported institution of higher education or technical institute is responsible for appointing one representative from the Financial Aid Office to act as administrator of the Law Enforcement Officers' Dependents Scholarship Program and to receive all communications and forms issued by the Arkansas Department of Higher Education. This representative is responsible for completing all forms, verification of data, and complying with all program rules and regulations.

The institution must comply with the following responsibilities in order to maintain continued eligibility status:

A. Verification

The institution shall provide verification to the Arkansas Department of Higher Education at the close of each term concerning the student's continuing eligibility. This is accomplished using the Verification Form issued by the Department. Reimbursement to the institution will be made after the institution has completed the Verification Form and the

Reimbursement Form and returned them to the Arkansas Department of Higher Education.

B. Identification of Eligible Students

Institutions will be responsible for publicizing the program and identifying students eligible for the program. Reimbursement can only be made for the year in which the student is currently enrolled and has made application. Applications made after May 1 of the academic year in which the student is enrolled will not be considered and the student will not be eligible for the scholarship.

C. Disbursement Records

The institution shall maintain information on the student indicating disbursement of these funds.

D. Deadline for Disbursement of Funds

The deadline for disbursement of funds is no later than 10 days after written receipt of funds. Any outstanding funds not disbursed must be returned to ADHE.

E. Refund Policy

It is the institution's responsibility to notify ADHE of the names of any persons owing a refund, the date of the withdrawal, and the refund amount. This information should be placed on the institution's verification roster before returning it to ADHE.

F. Act 1180 of 1999 states that students who receive scholarships from public funds may not use those funds in a financial aid package to exceed the federally recognized cost of attendance at the institution where the student enrolls. The institution must follow ADHE policy in repaying public funds in the amount exceeding the total cost of attendance for any student who receives public funds in a financial aid package above the cost of attendance.

G. Due Diligence

The institution will exercise due diligence in providing complete, accurate, and timely information as requested by the Arkansas Department of Higher Education on any scholarship recipient. In addition, the institution will exercise due diligence in complying with all the rules and regulations of the Law Enforcement Officers' Dependents Scholarship Program.

RULE 7 – RECIPIENT RESPONSIBILITIES

- I. The recipient must notify the Arkansas Department of Higher Education, in writing, of any change in status within 30 days. This includes changes in:
 - A. Name;
 - B. Address;
 - C. Institution; and/or,
 - D. Withdrawal from an institution.

Failure to notify the Arkansas Department of Higher Education of a change in status may affect future eligibility.

- II. It is also the recipient's responsibility to be knowledgeable of the rules and regulations of the Law Enforcement Officers' Dependents Scholarship Program.

RULE 8 – PROGRAM DEFINITIONS

The following definitions are used in the Law Enforcement Officers' Dependents Scholarship Program:

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| Approved Institution | A state-supported two-year or four-year college or university or technical institute located in the State of Arkansas that is accredited by the North Central Association, Commission on Higher Education, or has achieved candidacy status, and does not discriminate against applicants, or employees on the basis of race, color, religion, sex, age, handicap, or national origin, consistent with the provisions of applicable state and federal laws. |
| Dependent | A spouse, natural child, adopted child, or step child of an Arkansas law enforcement officer, fireman, state correction employees, state forestry employees, certain Arkansas Highway and Transportation Department employees, state parks employees, teacher, or Department of Community Punishment employees killed or totally and permanently disabled in the line of duty. |
| Satisfactory Progress | Satisfactory academic progress toward a degree as defined by the institution. |