

# Proposed Rulemaking

## Title

Promulgated by:  
Division of Higher Education

### Title 6. Education

Chapter IV. Division of Higher Education, Department of Education

Subchapter B. Scholarships and Grants

Part 405. Rules Governing the Governor's Higher Education Transition

Scholarship Program

Subpart 1. Generally

#### 6 CAR § 405-101. Purpose.

The purpose of this part is to establish the requirements and processes governing the Governor's Higher Education Transition Scholarship Program.

#### 6 CAR § 405-102. ~~Governor's Higher Education Transition~~

#### Scholarship Definitions.

~~(a) The Division of Higher Education shall oversee the establishment of the Governor's Higher Education Transition Scholarship Program.~~

~~—(b) Continuation of the Governor's Higher Education Transition Scholarship Program shall be contingent upon available funding.~~

As used in this part:

(1) "Eligible student" means an Arkansas student with a disability admitted to a qualifying program at a state-supported institution of higher education;

(2) "Inclusive Higher Education Accreditation Council" means the independent, nonprofit accreditation agency for postsecondary programs for students with an intellectual disability;

(3) "State-supported institution of higher education" means a public postsecondary institution or a department in a public postsecondary institution that:

(A) Provides:

(i) An eligible program of training to prepare students for gainful employment in a recognized occupation; or

(ii) A program leading to a baccalaureate degree or a graduate degree;  
and

(B) Is accredited by a recognized accrediting agency or association and has continuously held the accreditation for the number of years required by the Division of Higher Education; and

(4) "Qualifying program" means a postsecondary education program for a student with an intellectual disability that is accredited by the Inclusive Higher Education Accreditation Council.

#### **6 CAR § 405-103. Organization and structure.**

(a) The Division of Higher Education shall administer the Governor's Higher Education Transition Scholarship Program.

(b) The division shall establish application periods and deadlines.

#### **6 CAR § 405-104. Eligibility criteria.**

(a)(1) The Governor's Higher Education Transition Program Scholarship may only be awarded to those students who are admitted into transition programs that are accredited by the Institute for Community Inclusion as comprehensive training programs.

(2) In order to be considered a qualifying institution, an institution must offer a transition program as described in this subsection.

(b) Students, or representatives acting on behalf of students, must complete the

online scholarship application provided by the Division of Higher Education.

(c)

**6 CAR § 405-105. Continued eligibility.**

Recipients of the Governor’s Higher Education Transition Scholarship will maintain award eligibility for a maximum of four (4) up to eight (8) continuous semesters, or until credentialing is obtained, whichever ever comes first, as long as the recipients are continuously enrolled in a transition program.

**6 CAR § 405-106. Scholarship amounts.**

(a) Scholarship awards are contingent upon availability of funds.

(b)(1) Awards may not exceed the institutional cost of attendance.

(2) The maximum award amount is two thousand five hundred (\$2,500) per semester that the student qualifies for the scholarship.

(c) Awards may be applied to:

- (1) Tuition;
- (2) Mandatory fees;
- (3) Programmatic fees;
- (4) Room and board;
- (5) Supplies; or
- (6) Extended support services.

**6 CAR § 405-107. Payment of scholarships.**

(a) The Division of Higher Education shall disburse scholarship funds to the qualifying institution of the recipient’s choice via electronic funds transfer or state warrant.

(b) After verification of enrollment, the institution will disburse the scholarship funds to the student according to the institution's disbursement procedures.

(c)(1) The scholarship payment will correspond to academic terms, semesters, quarters, or equivalent time periods at the institution.

(2) For purposes of scholarship payments, academic terms at the institution may include summer terms, semesters, quarters, or their equivalent.

(d) In no instance may the entire amount of the scholarship disbursement for an educational year be paid in advance to or on behalf of such student.

(e) If the recipient of a scholarship withdraws, drops out, or is expelled on or after the first day of class of a payment period, the institution will determine whether the student received an overpayment of financial aid funds for noninstitutional expenses.

(f)(1) Overpayment is the difference between the amount received as cash disbursements and the amount incurred for noninstitutional costs during the portion of the payment period that the student was actually enrolled.

(2) It is the institution's responsibility to contact students and recover overpayment or overpayments.

(3) The institution shall refund the overpayment or overpayments to the division.

(g) If the award of a Governor's Higher Education Transition Program Scholarship results in an overpayment to the student per Arkansas Code § 6-80-105, the institution shall follow the division scholarship stacking policy in reducing the student's financial package so that the student does not receive funds above the federally recognized cost of attendance.

**6 CAR § 405-108. Responsibilities of qualifying institutions.**

(a)(1) The chief executive officer of the qualifying institution is responsible for appointing one (1) representative from the financial aid office to act as administrator of the Governor's Higher Education Transition Scholarship Program and to receive all communications, forms, and other correspondence related to the program.

(2) This representative will be responsible for:

(A) Verification;

(B) Data; and

(C) Compliance with all program rules.

(b) The institution shall maintain information regarding disbursement of scholarship

funds.

(c) The deadline for disbursement of funds is no later than ten (10) days after receipt of funds.

(d)(1) Any outstanding funds not disbursed by these dates must be returned to the Division of Higher Education.

(2) If the division receives an application beyond the deadline referenced in this subsection, disbursement will be made within ten (10) business days of receipt of the verification roster and electronic transfer of funds.

(e) In exercising its due diligence requirements as a steward of state funds, the division shall periodically review the qualifying institution's records concerning this program.

(f) Upon request, the qualifying institution shall exercise due diligence in providing the division with complete, accurate, and timely information regarding current and former Governor's Higher Education Transition Scholarship Program recipients.

(g) Institutions with accredited transition programs will certify students' admittance and enrollment prior to scholarship award.

(h) The institution shall comply with all applicable law and rules in order to maintain its status as a qualified institution.

**6 CAR § 405-109. Responsibilities of recipients.**

(a) It is the recipient's responsibility to notify the Division of Higher Education of any change in status within twenty-one (21) days, including the recipient's:

- (1) Name;
- (2) Address; and
- (3) Institution.

(b) Failure to notify the division of a change in status may affect future eligibility.