

APA-1
07/04

TRANSMITTAL SHEET FOR
NOTICE OF INTENDED ACTION

Control No. 51302 Department or Agency Alabama Commission on Higher Education
Rule No. Chapter 300 - 4 - 4 - .05
Rule Title: Disbursement of Funds.
 New X Amend Repeal Adopt by Reference

Would the absence of the proposed rule significantly harm or endanger the public health, welfare, or safety? NO

Is there a reasonable relationship between the state's police power and the protection of the public health, safety, or welfare? YES

Is there another, less restrictive method of regulation available that could adequately protect the public? NO

Does the proposed rule have the effect of directly or indirectly increasing the costs of any goods or services involved and, if so, to what degree? NO

Is the increase in cost, if any, more harmful to the public than the harm that might result from the absence of the proposed rule? NO

Are all facets of the rulemaking process designed solely for the purpose of, and so they have, as their primary effect, the protection of the public? YES

Does the proposed rule have an economic impact? NO

If the proposed rule has an economic impact, the proposed rule is required to be accompanied by a fiscal note prepared in accordance with subsection (f) of Section 41-22-23, Code of Alabama 1975.

Certification of Authorized Official

I certify that the attached proposed rule has been proposed in full compliance with the requirements of Chapter 22, Title 41, Code of Alabama 1975, and that it conforms to all applicable filing requirements of the Administrative Procedure Division of the Legislative Reference Service.

Signature of certifying officer Gregory S. J. [Signature]
Date 17 June 2015

APA-2
07/04

Alabama Commission on Higher Education

NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama Commission on Higher Education (Commission)

RULE NO. & TITLE: 300 – 4 – 4 - .02, Definition of Terms
300 – 4 – 4 - .05, Disbursement of Funds

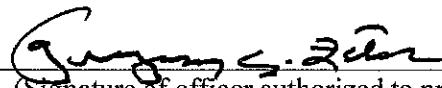
INTENDED ACTION: Amendment

SUBSTANCE OF PROPOSED ACTION: These amended rules are intended to provide administrative procedures as regards the Alabama National Guard Educational Assistance Program (ANGEAP) administered by the Commission. During the 2015 Session of the Alabama Legislature, Act 2015-431 was passed. This Act changed the award amounts available to eligible students in one term so that now recipients may receive no more than \$1,000.00 per term. Previously, recipients could have received their maximum award for one academic year of \$2,000.00 in one term and not receive any other funds for the balance of the academic year. This change affects three areas within the administrative procedures. The Act also deletes the definition of “veteran” as it currently appears in the ANGEAP Code. Now, all Guard Members in good standing are eligible to receive awards regardless of the number of active duty days served. The Act also included a provision that now requires that all applicants complete a Free Application for Federal Student Aid (FAFSA). This is to ensure that the applicant has exhausted all potential sources of federal and state student financial aid for veterans prior to receiving funds from the ANGEAP program.

TIME, PLACE, MANNER OF PRESENTING VIEWS: Persons wishing to present views on these amended rules may contact Tim Vick, Director of Operations and Fiscal Services, Alabama Commission on Higher Education, P.O. Box 302000, Montgomery, Alabama 36130-2000, Telephone 334-353-9153 between 8 a.m. and 5 p.m. each day up to and including August 18, 2015.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE: August 18, 2015

CONTACT PERSON AT AGENCY: Tim Vick



(Signature of officer authorized to promulgate
and adopt rules or his or her deputy)

300-4-4-.05 Disbursement Of Funds.

(1) The Alabama National Guard Educational Assistance Program shall determine from the completed applications received from all students the sufficiency of funds. Award amounts are restricted to a minimum of one hundred dollars (\$100) per semester, and not to exceed ~~50 percent of the remaining balance~~ one thousand dollars (\$1,000) per semester after all federal benefits have been applied to the account of the student, for a total amount not exceeding two thousand dollars (\$2,000) annually, nor shall any student receive a grant at more than one approved institution during any one academic term.

(2) The Alabama National Guard Educational Assistance Program shall determine the dollar amount of each grant and shall prepare a voucher each term requesting that the State Comptroller disburse Alabama National Guard Educational Assistance Program funds for eligible students.

(3) The State Comptroller shall prepare a check payable to the student (by name) or to the student (by name) and the approved institution for each eligible grant recipient listed on the award list. Such checks and a certification roster with the amount of grant indicated for each eligible student(s), shall be forwarded to the approved institution for delivery to the student(s).

(a) No later than sixty (60) calendar days after receipt of the grant check(s), the approved institution shall issue the individual check(s) to the eligible student(s) and return the completed certification roster to the Alabama National Guard Educational Assistance Program Office.

(4) If a student whose eligibility for a grant has been certified by an approved institution becomes ineligible for a grant before the expiration of the institutional tuition refund period, the grant funds shall not be delivered to the student, but shall be returned to the Alabama National Guard Educational Assistance Program Office. Funds are considered received by a student when the Alabama National Guard Educational Assistance Program check is delivered to the student.

(5) No person shall be eligible for an Alabama National Guard Educational Assistance Program grant for more than ten (10) years after the date of the first grant payment granted through this program.

Statutory Authority: Code of Ala. 1975, §§31-10-1, et seq.

History: Filed August 28, 1984. **Amended:** Filed August 18, 2014; effective September 22, 2014. **Amended:** Filed June 18, 2015.