

TRANSMITTAL SHEET FOR  
NOTICE OF INTENDED ACTION

Control No. 300 Department or Agency: Alabama Commission on Higher Education

Rule No. 300 - 4 - 4 - .04

Rule Title: Awarding Procedures

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

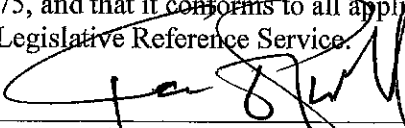
Are all facets of the rulemaking process designed solely for the purpose of, and so they have, as their primary effect, the protection of the public? YES

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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.

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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   
James E. Purcell, Ed.D. Executive Director

Date: October 5, 2017

APA-2

**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 - .04 Awarding Procedures  
300 – 4 – 4 - .05 Disbursement of Funds

INTENDED ACTION: Amendment

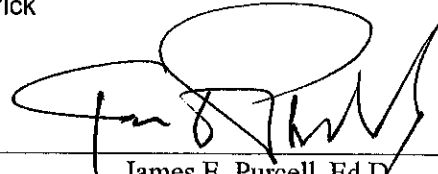
SUBSTANCE OF PROPOSED ACTION:

To update procedures to reflect changes made by Alabama Act 2017-349 relating to benefits associated with the Alabama National Guard Educational Assistance 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 December 6, 2017.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE: December 6, 2017

CONTACT PERSON AT AGENCY: Timothy W. Vick



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James E. Purcell, Ed.D.  
Executive Director

#### **300-4-4-.04: Awarding Procedures**

(1) 300-4-4-.04 Awarding Procedures. The following procedures shall be the method used by the Alabama Commission on Higher Education for making available Alabama National Guard Educational Chapter 300-4-4 Higher Education Supp. 9/30/14 4-4-6 Assistance Program awards to eligible students at eligible institutions:

(a) Applications may be obtained from eligible institutions, the Alabama Military Department, and from the Alabama Commission on Higher Education.

(b) Applications shall be completed by student applicants. All information requested on the Alabama National Guard Educational Assistance Program Application must be completed and the form mailed or delivered to the Alabama National Guard Educational Assistance Program office. Applications will not receive consideration for grant payment if received in the Alabama National Guard Educational Assistance Program office after September 30 of the academic year for which grant funds are being requested. If all items and information requested on the application form are not completed, the application is invalid and the student is ineligible to receive an Alabama National Guard Educational Assistance Program payment.

1. Each application shall have a preliminary review of the Alabama Military Department and the institution to determine if the application is complete and meets the eligibility criteria for a grant.

2. Each student applicant shall be notified by the Alabama Military Department or the institution, as appropriate, when the application is incomplete and additional information is needed. The Alabama Military Department, the institution or the Alabama Commission on Higher Education, as appropriate, shall notify each student who does not meet all eligibility criteria and is, therefore, ineligible for an Alabama National Guard Educational Assistance Program awards.

(c) All applications which pass the preliminary review for eligibility shall be compared to other appropriate departmental or institutional records. Such records shall be used to verify that each student applicant is an eligible student as defined in section .02 (7).

(d) The Adjutant General of the Alabama National Guard, or his representative, and the institutional financial aid officer shall sign and complete each application of a student determined to be eligible for an Alabama National Guard Educational Assistance Program award.

(e) Each completed application shall be forwarded to the Alabama National Guard Educational Assistance Program Office. Higher Education Chapter 300-4-4 Supp. 9/30/14 4-4-7

(f) Information received from applicants shall be evaluated by the Alabama National Guard Educational Assistance Program Office.

1. Incomplete applications received shall be returned to the eligible institution or the student applicant.

2. Complete applications of eligible students shall be compared with monies available.

3. All Alabama Student Grant Program proceeds for which the student may be eligible shall be deducted from the tuition figure used for Alabama National Guard Educational Assistance Program purposes.

4. ~~Awards will be determined on a first in, first out basis as long as funds are available and as specified in .02(3)~~ Reimbursement shall be made promptly at the end of each academic quarter or semester for all certified invoices. Should funds appropriated to the

Alabama National Guard Educational Assistance Program be insufficient to provide each eligible student with a full grant payment for any term(s) during an academic year, then the awards will be prorated equally among the institutions on a percentage basis of the total invoices/vouchers received and paid accordingly.

(g) All awards made by the Alabama National Guard Educational Assistance Program shall be made to individual students enrolled in eligible programs at eligible institutions in the State of Alabama.

(h) Disbursement of all grants shall be made by check to ~~individual students (by name) or individual students (by name)~~ and the institutions in the State of Alabama. The Alabama National Guard Educational Assistance Program shall have checks prepared for eligible awardees.

1. The Alabama National Guard Educational Assistance Program Office shall prepare vouchers for eligible students for whom funds are available.

2. The Alabama National Guard Educational Assistance Program Office shall verify that each check is properly prepared.

3. Checks shall be mailed along with a certification roster to the institutional Financial Aid Officer for issuing to students.

4. The institution shall issue checks to students and ensure that the institutional official who issues a check signs and dates the roster whenever such check is issued. The completed certification roster shall be returned to the Alabama National Guard Educational Assistance Program Office no later than sixty (60) calendar days after receipt of the certification roster.

5. All checks which are undeliverable by the institution shall be returned to the Alabama National Guard Educational Assistance Program along with the reason for Chapter 300-4-4 Higher Education Supp. 9/30/14 4-4-8 cancelling the checks, no later than sixty (60) calendar days after receipt of the checks.

Author: Timothy W. Vick.

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

History: Filed August 28, 1984; **Amended:** Filed: March 27, 2017. Amended: Filed: October 5, 2017; effective: