ALABAMA COMMISSION ON HIGHER EDUCATION
STUDENT ASSISTANCE
ADMINISTRATIVE CODE

CHAPTER 300-4-2
ALABAMA STUDENT ASSISTANCE PROGRAM

TABLE OF CONTENTS

300-4-2-.01 Goal
300-4-2-.02 Organization
300-4-2-.03 Planning
300-4-2-.04 Definition Of Terms
300-4-2-.05 Fund Allocation Procedure
300-4-2-.06 Awarding Procedures
300-4-2-.07 Refund And Repayment Requirements
300-4-2-.08 Reporting
300-4-2-.09 Evaluation

300-4-2-.01 Goal.

The goal of the Alabama Student Assistance Program is to provide financial assistance to residents of the State of Alabama for postsecondary education in the State of Alabama.
Author: Joseph T. Sutton
Statutory Authority: Title IV of the Higher Education Act of 1965 as amended.
History: Filed September 30, 1982.

300-4-2-.02 Organization.

(1) It is the responsibility of the Alabama Commission on Higher Education to establish policies and procedures for the implementation of the Alabama Student Assistance Program. The Alabama Student Assistance Program is administered in accordance with the policies and procedures established by the Commission.

(2) The Commission appoints such staff as are necessary to ensure efficient operation of the program.

(3) The Alabama Association of Student Financial Aid Administrators (AASFAA) appoints a committee of professional financial aid administrators, representing a cross-section of all postsecondary education in the State of Alabama, as an advisory body to the Alabama Commission on Higher Education for the Alabama Student Assistance Program and other student aid matters.
Author: Joseph T. Sutton

Statutory Authority: Title IV of the Higher Education Act of 1965 as amended.
History: Filed September 30, 1982. **Emergency Amendment:** Filed October 13, 1987. **Amended:** Filed December 7, 1987; April 6, 1988.

300-4-2-.03 Planning.

It is the responsibility of the staff of the Alabama Commission on Higher Education to initiate both short-range and long-range planning for improvement of the Alabama Student Assistance Program.
Author: Joseph T. Sutton
Statutory Authority: Title IV of the Higher Education Act of 1965 as amended.
History: Filed September 30, 1982. **Amended:** Filed April 6, 1988.

300-4-2-.04 Definition Of Terms.

(1) Academic Qualifications and Satisfactory Progress of Eligible Students: A student is considered academically qualified if he/she is currently enrolled and matriculated in an eligible program of an eligible institution and is maintaining satisfactory progress in a course of study he or she is pursuing according to the standards and practices of the institution in which the student is in attendance. The regulations regarding academic qualifications and satisfactory progress of eligible students participating in this Leveraging Educational Assistance Program are the same regulations which apply to all Title IV programs.

(2) Academic Year: An academic year is a period of time, usually nine months, during which a full-time student is expected to complete the equivalent of two semesters, two trimesters, three quarters, or 900 clock hours of instruction.

(3) Alabama Resident: An Alabama resident is a person who has established residence within the State of Alabama for at least a twelve-month period prior to the beginning of the term for which financial assistance is requested, and is in the State of Alabama for other than a temporary purpose.

(4) Clock Hours: A clock hour is a period of time which is the equivalent of either: (a) a 50- to 60-minute class, lecture, or recitation, or (b) a 50- to 60-minute period of faculty-supervised laboratory, shop training, or internship.

(5) Educational Grant: A grant is defined as a financial award by the State of Alabama to an Alabama Student Assistance Program applicant who is designated to be an eligible student enrolled in

or accepted for enrollment in an eligible institution, and is to be awarded to the student to defray direct educational-related expenses: tuition, mandatory fees, room rent, board, transportation, books, supplies, and personal expenses.

(6) Eligible Institution: An eligible institution is a public or private nonprofit institution of higher education, proprietary institution of higher education, or postsecondary vocational educational institution which provides an accredited program leading to an associate degree, the degree of bachelor of science, or to an equivalent degree, and which submits a complete application to the Alabama Student Assistance Program for financial assistance to its students and complies with all reporting requirements of the previous fiscal year. The institution must also certify to the Alabama Student Assistance Program Office the availability of a drug abuse prevention program for officers, employees, and students of the institution.

(7) Eligible Program: An eligible program is any program (except theology, divinity, or other program of preparation for a religious profession) that is separately identifiable and leads to a degree or certificate, and meets the requirements for eligibility at a particular type of institution. An eligible program must admit as regular students only persons who have a high school diploma, have a General Education Development (GED) Certificate, or who are beyond the age of compulsory school attendance and have the ability to benefit from the education or training offered. An eligible program must lead to an associate or bachelor's, degree, or be a program which is at least a two-year program that is acceptable for full credit toward a bachelor's degree, or be a program which is at least a one-year program leading to a certificate or diploma that prepares a student for gainful employment in a recognized occupation, or be a program which for a proprietary institution or a postsecondary vocational institution, is at least a 6-month program leading to a certificate or diploma which prepares students for gainful employment in a recognized occupation.

(8) Eligible Student: An eligible student is an applicant who completes the Free Application for Federal Student Aid, and

(a) Is classified as an undergraduate student as defined in 04(26);

(b) Is a citizen or an eligible non-citizen as defined by the U.S. Department of Education;

(c) Is a resident of the State of Alabama, as defined in 04(3);

(d) Is enrolled or accepted for enrollment as a full-time student, as defined in 04(13), or a part-time student, as

defined in 04(19), in an eligible program within an eligible institution;

(e) Is not enrolled in a course of study leading to a degree in theology, religion, or other field of preparation for a religious profession;

(f) Is making satisfactory academic progress as defined by the eligible institution and consistent with guidelines applicable to all Title IV programs at the institution;

(g) Cannot complete his/her education at the institution without financial assistance, and has established financial need for an Alabama Student Assistance Program grant by means of a federally-approved need analysis system for the academic year;

(h) Is not in default on a student loan or owes a refund on a student grant from the federally-funded student financial aid programs;

(i) Has not borrowed in excess of the annual or aggregate limits for the federally-funded or federally-guaranteed student financial aid programs; and

(j) Files a Statement of Education Purpose/Certification Statement on Refunds and Default, a Statement of Registration Status, and a Statement of Updated Information.

(9) Expected Family Contribution: The expected family contribution of a dependent student is the sum of the amount which reasonably may be expected from the student and spouse, plus the amount which reasonably may be expected to be made available to the student by the parents or legal guardians to meet the student's cost of education. The expected family contribution of an independent or self-supporting student means the amount of money which reasonably may be expected from the student and spouse to meet the student's cost of education.

(10) Family Status of Eligible Students: The Alabama Student Assistance Program provides a supplemental source of financial assistance to students with an established financial need following a determination of the student's family status--i.e., dependent or independent.

(11) Financial Need: An applicant's financial need is the difference between the applicant's available financial resources, as defined in 04(12), and the applicant's anticipated educational cost, including tuition and fees applicable to such student together with the institution's estimate of other expenses reasonably related to cost of attendance at such institution, including, but not limited to, the cost of room and board, transportation costs, and costs for books and supplies. An

approved institution may not charge students fees for processing data or determining student eligibility for Alabama Student Assistance Program awards.

(12) Financial Resources: Financial resources must include, but may not necessarily be limited to, family financial support, anticipated awards under all federally-supported financial aid programs, veterans' educational benefits, plus other benefits, and scholarships, grants, work, or loan assistance of which the institution has knowledge.

(13) Full-Time Student: A full-time student is defined as an individual who is carrying a full-time academic workload, other than by correspondence, measured in terms of (a) course work or other required activities, including any combination of courses, work experience, research, or special studies which the institution requires of the student in order to be considered as being engaged in full-time study, and which amounts to the equivalent of a minimum of 12 semester hours or 12 quarter hours per academic term, or a minimum of 24 clock hours per week, and (b) is charged the tuition and fees customarily charged for full-time study by the institution.

(14) Graduate or Professional Student: A graduate or professional student is a student enrolled in an academic program of study above the baccalaureate level at an institution of higher education, including (a) a program leading to a first professional degree if the institution requires at least 3 years of study at the college level for entrance into the program; and (b) course work beyond the fourth year of study, except any undergraduate study outlined in 04(26).

(15) Half-Time Student: A half-time student is an enrolled student who is carrying a half-time academic work load as determined by the institution according to its own standards and practices. However, the institution's half-time standards must equal or exceed the equivalent of the following minimum requirements: (a) 6 semester hours or 6 quarter hours per academic term in an institution using standard semester, trimester, or quarter systems; (b) 12 semester hours or 12 quarter hours per academic year for an institution using credit hours to measure progress, but not using a standard semester, trimester, or quarter system, or the prorated equivalent for a program of less than 1 year; and (c) 12 clock hours per week for an institution using clock hours.

(16) Matriculated Status of Eligible Students:

(a) To be eligible for an Alabama Student Assistance Program grant, a student must be in a "matriculated status" in an eligible program leading to a degree, diploma, or certificate approved for a grant award. For purposes of the Alabama Student Assistance Program, a student shall be considered in

"matriculated status" if the student is enrolled in an appropriate degree, diploma, or certificate program.

(b) A student is to be considered matriculated and eligible only if the courses pursued by the student are fully recognized at that time as contributing toward fulfillment by the student of the requirements for completion of the program. That the student may be required to complete certain courses to make up deficiencies in background or training does not necessarily negate the student's status as an enrolled and recognized degree candidate, so long as acceptance and credit are not contingent upon additional and special requirements designed to establish his/her qualifications to pursue the program successfully. If credit toward the degree is conditional upon satisfactory completion of additional special requirements, then the student must be considered not fully matriculated and ineligible for assistance during his/her present program of study.

(c) A student who meets all eligibility requirements for the Alabama Student Assistance Program and who is permitted to enroll in an eligible postsecondary educational institution on an early admission basis is eligible to receive a State grant provided he/she meets all other matriculated status criteria of these procedures.

(17) Nonprofit Institution: A "nonprofit" institution means a school, college, agency, organization, or institution, in Alabama and owned and operated by one or more nonprofit corporations, or associations in which no part of the net earnings of the corporation(s) or association(s) lawfully enure to the benefit of any private shareholder or individual, and which meets other requirements defined in 04(6).

(18) Over-Award of Established Need: If a student receives other gift aid awards, loans, scholarships, or work-study that are non-adjustable and meet the student's financial need as defined in 04(11), the student is not eligible to receive an Alabama Student Assistance Program grant.

(19) Part-Time Student: A part-time student is an individual who is enrolled as a half-time student as defined in 04(15).

(20) Postsecondary Vocational Institution: A "postsecondary vocational institution" is a public or private nonprofit educational institution which, (a) is in Alabama; (b) admits as regular students only persons who have a high school diploma, have the recognized equivalent of a high school diploma, or are beyond the age of compulsory school attendance in Alabama and have the ability to benefit from the training offered; (c) is legally authorized to provide an educational program beyond secondary education and is physically located in Alabama; (d) provides at least a six-month program of training to prepare students for

gainful employment in a recognized occupation; (e) is accredited by a nationally recognized accrediting agency or association, or, is approved by the Alabama Community College System, if the institution is a public postsecondary vocational institution, or, has satisfactorily assured the U.S. Secretary that it will meet the accreditation standards of an approved agency or association within a reasonable time, considering the resources available to the institution, the period of time it has operated and its efforts to meet accreditation standards, or an institution whose credits are determined by the U.S. Secretary to be accepted on transfer by at least three accredited institutions on the same basis as transfer credits from fully accredited institutions; and, (f) has been in existence for at least two years. The U.S. Secretary considers an institution to have been in existence for two years if it has been legally authorized to provide, and has provided, a training program on a continuous basis to prepare students for gainful employment in a recognized occupation during the 24 months (except for normal vacation periods) preceding the date of application for eligibility.

(21) Proprietary Institution of Higher Education: A "proprietary institution of higher education" is an educational institution which, (a) is not a public or other nonprofit institution; (b) is in Alabama; (c) admits as regular students only persons who have a high school diploma, have the recognized equivalent of a high school diploma, or are beyond the age of compulsory school attendance in Alabama and have the ability to benefit from the training offered; (d) is legally authorized to provide postsecondary education and is physically located in Alabama; (e) provides at least a six-month program of training to prepare students for gainful employment in a recognized occupation; (f) is accredited by a nationally recognized accrediting agency or association; and (g) has been in existence for at least two years. The U.S. Secretary considers a school to have been in existence for two years if it has been legally authorized to provide, and has provided, a continuous training program to prepare students for gainful employment in a recognized occupation during the 24 months (except for normal vacation periods) preceding the date of application for eligibility.

(22) Public or Private Nonprofit Institution of Higher Education: A "public or private nonprofit institution of higher education" is: an educational institution which (a) is in Alabama; (b) admits as regular students only persons who have a high school diploma, or have the recognized equivalent of a high school diploma, or are beyond the age of compulsory school attendance in Alabama, and have the ability to benefit from the training offered; (c) is legally authorized to provide an educational program beyond secondary education and is physically located in Alabama; (d) provides an educational program for which it awards an associate, baccalaureate, graduate, or professional degree, or at least a two-year program which is acceptable for full credit toward a baccalaureate degree, or at least a one-year training program

which leads to a certificate or diploma and prepares students for gainful employment in a recognized occupation; and (e) is accredited by a nationally recognized accrediting agency or association or, if not accredited, is approved by the Alabama Community College System, if the institution is a public postsecondary vocational institution, or is an institution which has satisfactorily assured the U.S. Secretary of Education it will meet the accreditation standards of an approved agency or association within a reasonable time, considering the resources available to the institution, the period of time it has operated and its efforts to meet accreditation standards, or an institution whose credits are determined by the U.S. Secretary to be accepted on transfer by at least three accredited institutions on the same basis as transfer credits from fully accredited institutions.

(23) Refunds.

(a) If a student becomes ineligible for a state grant during the academic year of the award, and prior to the delivery of Alabama Student Assistance Program funds to the student, the institutional financial aid administrator will not disburse Alabama Student Assistance Program grant funds to the student.

(b) Whenever an institution refunds monies to the Alabama Student Assistance Program, the institution must provide to the Alabama Student Assistance Program the refund amount and the institution must maintain with the student's records documentation listing (a) the date the student withdrew, (b) the net institutional charges to the student for the period of the student's attendance, (c) the amount of the student's grant award, and (d) the amount of refund due the Alabama Student Assistance Program.

(24) Leveraging Educational Assistance Partnership Program: The LEAP Program is a federal grant made to the several states by the U.S. Department of Education to encourage creation and/or expansion of state student assistance programs. Federal funds must be matched with at least an equal amount of state funding. All federal funds received plus the state matching funds must be returned to students. Administrative cost of the program must be borne entirely by state appropriations and/or institutional funds. Federal regulations require that a single agency designated by the state shall administer the program.

(25) Student Application Procedure: Each Alabama Student Assistance program applicant must submit the Free Application for Federal Student Aid Application. Award priorities will be given in accordance with dates established by the individual eligible institutions.

(26) Undergraduate Student: An undergraduate student is defined as a person who is in attendance at an Alabama postsecondary educational institution and who has not earned a baccalaureate or

first professional degree. A student who is enrolled in a program of study designed to extend for more than four academic years shall not be considered an undergraduate student in that portion of the program that involves study beyond the fourth academic year, unless the program leads to a first degree and is designed to extend for a period of five academic years.
Author: Joseph T. Sutton, Timothy W. Vick
Statutory Authority: Title IV of the Higher Education Act of 1965 as amended.
History: Filed September 30, 1982. **Emergency Amendment:** Filed October 13, 1987. **Amended:** Filed December 7, 1987; April 6, 1988; April 9, 1992. **Amended:** Filed March 27, 2017; effective May 11, 2017.

300-4-2-.05 Fund Allocation Procedure.

(1) The institutional need of all students at an institution as reflected on the most recent FWSP worksheet of the federal FISAP shall be reported to the Alabama Student Assistance Program office by a reporting date established by the Alabama Commission on Higher Education. Percentage figures of the institution's relative state need indicated on the most recent FWSP Worksheet for all participating institutions shall be adjusted, as necessary, to exclude from the institutional award pro rata calculations reflecting non-resident students, graduate students, and religion or theology majors.

(2) The total funds available for eligible students attending eligible institutions which had no previous year Federal Work-Study Program recipients shall not be less than $1,000 nor more than $5,000 and based on a three-tiered payment schedule tied to enrollment levels as determined by the Alabama Student Assistance Program Office.

(3) If any institution does not have a sufficient number of eligible applicants by April 30 of the award year to utilize its allocated percentage of funds, or if any institution fails to submit reports due in the Alabama Student Assistance Program office by that date (April 30), the remaining funds shall be reallocated among all eligible institutions as specified in 05(1).
Author: Joseph T. Sutton, Timothy W. Vick
Statutory Authority: Title IV of the Higher Education Act of 1965 as amended.
History: Filed September 30, 1982. **Emergency Amendment:** Filed October 13, 1987. **Amended:** Filed December 7, 1987. **Amended:** Filed November 7, 1997; effective December 12, 1997. **Amended:** Filed March 27, 2017; effective May 11, 2017.

300-4-2-.06 Awarding Procedures.

(1) Each applicant must submit to the eligible institution a yearly Free Application for Federal Student Aid application.

(2) An applicant may receive consideration for an Alabama Student Assistance Program award at only one institution per academic term. If a student wishes to receive consideration for an Alabama Student Assistance Program award at another Alabama postsecondary educational institution, he/she must follow the procedures outlined in 06(1).

(3) Information received on applicants shall be evaluated by an institutional student financial aid officer.

(a) All applicants' need shall be determined by the expected family contribution figures provided on the students' aid report.

(b) Students with need shall be compared with monies available. In determining the priority order in which students will be awarded funds in any given award year, the school must:

1. first, choose those students with exceptional financial need -- that is, those with the lowest expected family contributions (EFCs) who will also receive Pell Grants in that award year, and

2. after awarding ASAP funds to all of its eligible Pell Grant recipients in order of lowest expected family contributions (EFCs), next award ASAP funds to those eligible students with the lowest EFCs who will not receive Pell Grants in that award year.

(c) An award list shall be made and sent to the Alabama Commission on Higher Education. The maximum award that a student may receive is $5,000 per academic year. The maximum award shall be reduced proportionately for students who attend part-time.

(4) All grants to students enrolled at least half-time shall be not less than $300 nor more than $5,000 for the academic year.

(5) All awards made by the Alabama Student Assistance Program shall be made to individual students who are residents of the State of Alabama.

(a) Each awardee shall be sent an award notice by the institution and informed of aid awarded through the Alabama Student Assistance Program.

(b) The institutional Financial Aid Officer will check each awardee for:

1. Number of hours enrolled;

2. Academic progress and program;

3. Residency and nationality; and

4. Status on previous grants and loans.

(c) The institutional Financial Aid Officer shall be responsible for ensuring that each student is not over-awarded.

(d) If the award is accepted, each student shall certify his/her eligibility and verify that the educational grant will be used only for educational expenses for attendance at the approved Alabama postsecondary institution.

(6) Disbursement of all grants shall be made by checks in accordance with the procedures outlined in 06(6)(a) or 06(6)(b).

(a) Certain approved institutions may prepare checks for eligible awardees under the following conditions:

1. An approved institution may prepare checks for eligible awards only after all steps in 06(5) have been completed.

2. The Alabama Student Assistance Program Office will send a lump sum payment of funds to the approved institution for deposit in a specific Alabama Student Assistance Program account.

3. The approved institution shall prepare individual checks on the account.

4. All checks which are undeliverable shall be cancelled, and the funds returned to the special Alabama Student Assistance Program account. Replacement awards may be issued to eligible students prior to the expiration of the term only after the ASAP Office is provided the following information: Social Security numbers of award recipients, full names of recipients, adjusted gross incomes of recipients, and amounts of awards per term.

5. All funds remaining in the institution's Alabama Student Assistance Program account must be returned to

the Alabama Student Assistance Program Office no later than August 31 each year. No awards may be issued for terms commencing after June 30.

6. An approved institution's permission to write individual checks may be terminated at any time, upon written notice from the Alabama Student Assistance Program Office. Reasons for termination may include noncompliance with any Alabama Student Assistance Program Regulations or untimely delay in submitting required reports to the Alabama Student Assistance Program Office.

(b) Certain approved institutions may credit accounts of eligible awardees under the following conditions:

1. An approved institution may credit accounts of eligible awardees only after all steps in 06(5) have been completed.

2. The Alabama Student Assistance Program office will send a lump sum payment of funds to the approved institution for deposit in a specific Alabama Student Assistance Program account.

3. The approved institution shall provide each eligible awardee with documentation of an Alabama Student Assistance Program award.

4. Should the dollar amount of an award credited to an eligible student's account exceed the dollar amount due the institution by the student at the time an ASAP award is credited to an eligible student's account, a check in the amount of excess funds (credit) shall be issued within fourteen (14) work days to the student by the approved institution.

5. All checks which are undeliverable shall be cancelled, and the funds returned to the special Alabama Student Assistance program account. Replacement awards may be issued to eligible students prior to the expiration of the term only after the ASAP Office is provided the following information: Social Security numbers of award recipients, full names of recipients, adjusted gross incomes of recipients, and amounts of awards per term.

6. All funds remaining in the institution's Alabama Student Assistance Program account must be returned to the Alabama Student Assistance Program Office no later than August 31 each year. No awards may be issued for terms commencing after June 30.

7. An approved institution's permission to credit eligible students' accounts may be terminated at any

time, upon written notice from the Alabama Student Assistance Program Office. Reasons for termination may include noncompliance with any Alabama Student Assistance Program Regulations or untimely delay in submitting required reports to the Alabama Student Assistance Program office.

(7) All eligible institutions shall follow the recordkeeping procedures set forth by the Alabama Student Assistance Program Office.

(a) Eligible institutions shall complete all requested accounting reports and return them to the Alabama Student Assistance Program office on or before August 31 each year.

(b) A summary of all fiscal reports pertaining to the Alabama Student Assistance Program shall be furnished to the Alabama Commission on Higher Education.

Author: Joseph T. Sutton, Timothy W. Vick
Statutory Authority: Title IV of the Higher Education Act of 1965 as amended.
History: Filed September 30, 1982. **Amended:** Filed May 18, 1984; July 5, 1984; June 11, 1985. **Emergency Amendment:** Filed October 13, 1987. **Amended:** Filed December 7, 1987; April 6, 1988; April 9, 1992. **Amended:** Filed December 6, 2007; effective January 10, 2008. **Amended:** Filed March 27, 2017; effective May 11, 2017.

300-4-2-.07 Refund And Repayment Requirements.

(1) Repayment of institutional refunds to the Alabama Student Assistance Program.

(a) An institution shall return a portion of a refund owed to a student to the Alabama Student Assistance Program if

1. The student officially withdraws, drops out, or is expelled from the institution on or after his or her first day of class of a payment period; and

2. The student received assistance under the Alabama Student Assistance Program.

(b) For purposes of this section, an institutional refund means the amount paid for institutional charges for a payment period by financial aid and/or cash payments minus the amount retained by the institution for the portion of the payment period that the student was actually enrolled at the institution. The amount retained by the institution for the student's actual period of enrollment is calculated according to the institution's refund policy.

(c) The portion of the refund that the institution shall return to the Alabama Student Assistance Program is the lesser of,

1. The amount of assistance received under the Alabama Student Assistance Program for the payment period; or

2. The amount obtained by multiplying the institutional refund by the following fraction:

Total amount of Alabama Student Assistance Program assistance awarded for the payment period/Total amount of assistance (exclusive of all work earnings) awarded for the payment period.

(2) Repayment to the Alabama Student Assistance Program of disbursements made to the student for noninstitutional costs.

(a) If a student officially withdraws, drops out, or is expelled on or after his or her first day of class of a payment period, the institution shall determine what portion, if any, of the Alabama Student Assistance Program assistance received for that payment period by the student for noninstitutional costs is an overpayment that must be repaid by the student. The institution shall make every reasonable effort to contact the student and recover the overpayment in accordance with program regulations.

(b) To determine if any of the Alabama Student Assistance Program assistance received by the student for noninstitutional costs constitutes an overpayment, the institution shall subtract the noninstitutional costs incurred by the student for that portion of the payment period during which the student was enrolled from the amount of assistance disbursed to the student. Noninstitutional costs may include, but are not limited to, room and board for which the student does not contract with the institution, books, supplies, transportation, and miscellaneous expenses.

(c) The portion of the overpayment as determined according to paragraph (2)(b) of this section that the institution shall return to the Alabama Student Assistance Program is the lesser of

1. The amount of assistance received under the Alabama Student Assistance Program for the payment period; or

2. The amount obtained by multiplying the overpayment by the following fraction:

Total amount of the Alabama Student Assistance Program assistance awarded for the payment period/Total amount of

assistance (exclusive of all work earnings and Direct loans) awarded for the payment period.

3. Drop Out Date. For purposes of this section, a student is considered to have dropped out on the last recorded date of class attendance by the student as documented by the institution.

4. Distribution among the Title IV, HEA programs. An institution shall develop a written policy allocating the Title IV, HEA program portion of the refund determined under paragraph (1) of this section and the overpayment determined under paragraph (2) of this section from which the student received aid. This allocation policy must be applied consistently to all students who have received Title IV, HEA program assistance and must conform to the following:

(i) No amount of the Title IV, HEA program portion of the refund or of the overpayment may be allocated to the FWS Program.

(ii) No amount of the Title IV, HEA program portion of the overpayment may be allocated to the Direct Loan program.

(iii) The amount of the Title IV, HEA program portion of the refund or of the overpayment allocated to a specific Title IV, HEA program may not exceed the amount that the student received from that program.

(iv) The amount of the Title IV, HEA program portion of the refund allocated to the Direct Loan programs must be returned to the borrower's lender by the institution in accordance with program regulations.

(v) The amount of the Alabama Student Assistance Program portion of the refund allocated to this Title IV, HEA program must be returned to the program account by the institution within 30 days of the date that the student officially withdraws or is expelled or the institution determines that a student has unofficially withdrawn.

(vi) The amount of the Alabama Student Assistance Program portion of the overpayment allocated to the Alabama Student Assistance Program must be returned to the appropriate program account within 30 days of the date that the student makes the repayment.

Author: Joseph T. Sutton, Timothy W. Vick
Statutory Authority: Title IV of the Higher Education Act of 1965 as amended.

History: Filed April 6, 1988. **Amended:** Filed April 9, 1992. **Amended:** Filed March 27, 2017; effective May 11, 2017.

300-4-2-.08 Reporting.

It shall be the responsibility of the executive director of the Alabama Commission on Higher Education to file all reports required by the U.S. Department of Education, the Alabama Commission on Higher Education, the Governor, or the Alabama Legislature.
Author: Joseph T. Sutton
Statutory Authority: Title IV of the Higher Education Act of 1965 as amended.
History: Filed September 30, 1982.

Ed. Note: Previously Rule 300-4-2-.07.

300-4-2-.09 Evaluation.

The Alabama Commission on Higher Education shall review annual reports concerning the Alabama Student Assistance Program for determining future policies and procedures pertaining to the administration of the program.

(a) Commission staff will conduct institutional Alabama Student Assistance Program reviews to enable the reviewer to express an opinion of the administrative controls and of the compliance aspects of the Program at the institution.

(b) Based on reports prepared and submitted, the Commission staff shall prepare a written review of the Program at the end of the fiscal year.

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