

1 HB245
2 116149-1
3 By Representative Black
4 RFD: Education Policy
5 First Read: 14-JAN-10

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8 SYNOPSIS: Under existing law, for purposes of the
9 Alabama Student Grant Program, the definition of
10 approved institution includes the requirement that
11 the institution be nonprofit.

12 This bill, for purposes of the Alabama
13 Student Grant Program, would remove the requirement
14 that an approved institution of higher learning be
15 nonprofit and remove the qualifying requirement
16 that an approved institution be formally seeking
17 accreditation by the Commission on Colleges of the
18 Southern Association of Colleges and Schools.

19 This bill would also provide further for the
20 time when the acceptance of credits by other
21 institutions would be sufficient to constitute an
22 approved institution.

23
24 A BILL
25 TO BE ENTITLED
26 AN ACT
27

1 To amend Section 16-33A-1, Code of Alabama 1975,
2 relating to the Alabama Student Grant Program; to remove the
3 term nonprofit from the definition of an approved institution;
4 to remove the qualifying requirement that an approved
5 institution be formally seeking accreditation by the
6 Commission on Colleges of the Southern Association of Colleges
7 and Schools; and to provide further for the time when the
8 acceptance of credits by other institutions is sufficient to
9 constitute an approved institution.

10 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

11 Section 1. Section 16-33A-1, Code of Alabama 1975,
12 is amended to read as follows:

13 "§16-33A-1.

14 "As used in this chapter, unless the context
15 requires otherwise, the following terms shall have the
16 meanings respectively ascribed to them by this section:

17 "(1) ACHE. The Alabama Commission on Higher
18 Education.

19 "(2) ALABAMA RESIDENT. A person who has been
20 domiciled in the State of Alabama for a period of at least 12
21 consecutive months immediately preceding application for a
22 grant under the Alabama Student Grant Program. The ACHE shall
23 promulgate and enforce regulations further defining and
24 limiting the term "domicile" so as to limit the benefits of
25 this legislation to bona fide Alabama citizens, based upon
26 criteria including residency of parents and guardians, voter

1 registration of students and parents, drivers license
2 registration and other facts indicating bona fide citizenship.

3 "(3) APPROVED INSTITUTION. Any independent ~~nonprofit~~
4 postsecondary institution of higher learning located in the
5 State of Alabama which is accredited by the Commission on
6 Colleges of the Southern Association of Colleges and Schools,
7 ~~or which has entered into the formal process of attaining~~
8 ~~accreditation by the Commission on Colleges of the Southern~~
9 ~~Association of Colleges and Schools,~~ or whose credits are
10 accepted by at least three other institutions which are
11 accredited by the Commission on Colleges of the Southern
12 Association of Colleges and Schools prior to the effective
13 date of this amendatory act. Such an approved institution must
14 have an academic curriculum which is not comprised principally
15 of sectarian instruction or preparation of students for a
16 sectarian vocation and which does not award primarily
17 theologian or seminarian degrees. To the extent that any such
18 institution may have a religious or denominational
19 affiliation, it must perform essentially secular educational
20 functions which are distinct and separable from religious
21 activity. Such an approved institution must not discriminate
22 in its admissions practices on the basis of religious or
23 denominational preference. No independent postsecondary
24 institution of higher learning shall be considered an approved
25 institution during any fiscal year in which it receives a
26 direct appropriation from the State of Alabama. Nothing
27 contained herein shall be construed to limit, replace or

1 diminish any direct state appropriation now being made or
2 which shall hereafter be made to any independent institution
3 of higher learning.

4 "(4) ELIGIBLE STUDENT. Any applicant for a grant
5 under the Alabama Student Grant Program who:

6 "a. Has obtained a certificate of graduation from a
7 secondary school or the recognized equivalent of such
8 graduation; and

9 "b. Is classified as an undergraduate student, as
10 defined in this chapter; and

11 "c. Is an Alabama resident, as defined in this
12 chapter; and

13 "d. Is a citizen of the United States or in the
14 process of becoming a citizen of the United States; and

15 "e. Is enrolled or accepted for enrollment as a
16 full-time or part-time student in a program of at least six
17 months' duration in an approved institution as defined in this
18 chapter; and

19 "f. Is not enrolled and does not intend to enroll in
20 a course of study leading to an undergraduate degree in
21 theology or divinity.

22 "(5) FULL-TIME STUDENT. An individual student who
23 meets the criteria established by definitions, rules and
24 regulations to be established by the ACHE.

25 "(6) GRANT. A monetary award under the Alabama
26 Student Grant Program to an approved institution on behalf of

1 and to the credit of an eligible student pursuant to this
2 chapter.

3 "(7) INSTITUTIONAL RELATED EXPENSES. Nonsectarian
4 educational expenses, including, but not limited to, tuition,
5 mandatory fees, room and board, transportation, books and
6 supplies and other incidental nonsectarian education expenses
7 anticipated by an eligible student.

8 "(8) PART-TIME STUDENT. An individual student who
9 meets all qualifications as an eligible student and who meets
10 the further criteria to be established by the ACHE.

11 "(9) PROGRAM. The Alabama Student Grant Program,
12 including the administration thereof.

13 "(10) UNDERGRADUATE STUDENT. Any individual student
14 who meets all other qualifications as an eligible student and
15 has not received a baccalaureate degree or its equivalent."

16 Section 2. This act shall become effective on the
17 first day of the third month following its passage and
18 approval by the Governor, or its otherwise becoming law.