

APA-1

TRANSMITTAL SHEET FOR NOTICE
OF INTENDED ACTION

Control: 300

Department or Agency: Alabama Commission on Higher Education

Rule No.: Chapter 300-4-15

Rule Title: Alabama Law Enforcement Officers' Family Scholarship

Intended Action New

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? No

To what degree?: N/A

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

Are all facets of the rule-making process designed solely for the purpose of, and so they have, as their primary effect, the protection of the public? Yes

Does the proposed action relate to or affect in any manner any litigation which the agency is a party to concerning the subject matter of the proposed rule? No

.....
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 Services Agency.

Signature of certifying officer

Dr. Stephanie C. Dolan
Stephanie C. Dolan

Date

Tuesday, June 17, 2025

REC'D & FILED
JUN 18, 2025
LEGISLATIVE SVC AGENCY

ALABAMA COMMISSION ON HIGHER EDUCATION

NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama Commission on Higher Education

RULE NO. & TITLE: Chapter 300-4-15 Alabama Law Enforcement Officers'
Family Scholarship

INTENDED ACTION: New

SUBSTANCE OF PROPOSED ACTION:

The Law Enforcement Officers Family Scholarship is established to grant tuition money to dependents and spouses of law enforcement officers for use in participating public or private institutions of higher education in the State of Alabama.

TIME, PLACE AND MANNER OF PRESENTING VIEWS:

Interested persons may present views on these amended rules by contacting Dr. Stephanie C. Dolan, Assistant Director of Planning and Policy, Alabama Commission on Higher Education, P.O. Box 302000, Montgomery, Alabama 36130-2000, stephanie.dolan@ache.edu, (334) 353-9153, between 8:00 a.m. and 5:00 p.m. CT each business day up to and including August 4, 2025.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

Monday, August 4, 2025

CONTACT PERSON AT AGENCY:

Stephanie C. Dolan, Associate
Director of Planning and Policy
(334) 353-9153

Dr. Stephanie C. Dolan

Stephanie C. Dolan

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

**ALABAMA COMMISSION ON HIGHER EDUCATION
ADMINISTRATIVE CODE**

**CHAPTER 300-4-15
ALABAMA LAW ENFORCEMENT OFFICERS' FAMILY SCHOLARSHIP**

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300-4-15-.01 Purpose.

The purpose of the Alabama Law Enforcement Officers' Family Scholarship is to provide tuition assistance and other costs to an undergraduate student attending an accredited public or private postsecondary vocational school, technical school, community or junior college, college, or university in the state of Alabama, who is an eligible dependent of a qualifying law enforcement officer of any state, municipal, or county law enforcement department or agency in the State of Alabama.

Author: Takena V. Jones, Stephanie C. Dolan

Statutory Authority: Code of Alabama 1975, §§16-5-1, et seq.

History: New Rule: Published _____; effective _____.

300-4-15-.02 Organization.

(1) The Alabama Law Enforcement Officers' Family Scholarship will be administered in accordance with the policies and procedures established by the Alabama Commission on Higher Education.

(2) The Commission will appoint the necessary staff to ensure the efficient operation of the scholarship.

Author: Takena V. Jones, Stephanie C. Dolan
Statutory Authority: Code of Alabama 1975, §§16-5-1, et seq.
History: New Rule: Published _____; effective _____.

300-4-15-.03 Planning.

- (1) The Commission shall supervise the implementation of the Alabama Law Enforcement Officers' Family Scholarship with the participating institutions.
- (2) The Commission shall conduct ongoing evaluations, planning, and reporting to inform any recommendations.
- (3) The Commission shall report the following information to the legislature by January 1 of each year:
 - (a) The number of applicants approved in the previous fiscal year.
 - (b) The number of applicants approved as of the reporting date of the current fiscal year.
 - (c) The number of recipients, by the number of remaining academic terms for which they may be eligible for the scholarship.
 - (d) The cost of the previous fiscal year's expenditures to the scholarship, arranged by each participating institution and the number of recipients who are enrolled with each participating institution.
 - (e) The number of recipients in the previous fiscal year who completed an approved postsecondary program by being awarded a certificate or a degree.

Author: Takena V. Jones, Stephanie C. Dolan
Statutory Authority: Code of Alabama 1975, §§16-5-1, et seq.
History: New Rule: Published _____; effective _____.

300-4-15-.04 Definition of Terms.

- (1) ACADEMIC PERIOD. A semester or quarter.
- (2) APPROVED POSTSECONDARY PROGRAM. Any for-credit or non-credit workforce or career training program or course of study at the

undergraduate level directed toward a vocational certification, an associate degree, or a baccalaureate degree offered by a participating institution. The term includes an academic major.

(3) COMMISSION. The Alabama Commission on Higher Education.

(4) ELIGIBLE DEPENDENT. An individual who, on the date of applying for the scholarship provided under this article, is:

(a) Not eligible for the police officer's survivors educational assistance provided under Article 5 of this chapter; and

(b) Is one of the following:

1. A natural or adopted child of a qualifying law enforcement officer, who is under 27 years of age, and who has resided in the state for at least the two preceding years; or

2. The current or surviving spouse of a qualifying law enforcement officer who has resided in the state for at least the two preceding years.

(5) ELIGIBLE STUDENT. An eligible dependent who completes an Alabama Law Enforcement Officers' Family Scholarship application, and adheres to the following:

(a) Is enrolled or accepted for enrollment in an approved postsecondary program at a participating institution as an undergraduate student;

(b) Complies with the Standards of Satisfactory Academic Progress (SAP) as required for Title IV benefits under the federal Higher Education Act and as defined by the participating institution for each academic period for which the recipient is enrolled.

(c) That the recipient maintains his or her full-time residency in the state.

(d) Completes the academic terms for which the scholarship is available within 66 months of the approval of the application, in the absence of a formal waiver of this condition by the Commission due to injury, illness, the necessity of part-time enrollment, or some other extraordinary circumstance;

(e) Completed a Free Application for Federal Student Aid (FAFSA) and submitted to the United States Department of Education, or documentation from the participating institution that the applicant has completed the FAFSA;

(f) If the recipient's eligibility is based on spousal status, eligibility shall end if the marriage to the qualifying law enforcement officer is terminated by a decree of divorce.

1. A surviving spouse of a law enforcement officer who did not die in the line of duty will remain eligible.

(g) Maintains eligibility for the scholarship while changing his or her approved postsecondary program or transferring to another participating institution, or both, only if the change or transfer is approved by the appropriate participating institution no later than the beginning of the fifth semester or the ninth quarter for which the scholarship would be available.

(6) FULL-TIME STATUS. Enrolled in at least twelve (12) credit hours at a participating institution.

(7) LAW ENFORCEMENT AGENCY. Any law enforcement department or agency that serves the state, a municipality, a county, or a postsecondary educational institution.

(8) PARTICIPATING INSTITUTION. An accredited public or private postsecondary vocational school, technical school, community or junior college, college, or university in Alabama that enters into a contract with the Commission to accept reimbursement for a scholarship awarded to an eligible student.

(9) PART-TIME STATUS. Enrolled in at least six (6) credit hours but no more than eleven (11) credit hours at a participating institution.

(10) QUALIFYING LAW ENFORCEMENT OFFICER: An individual who:

(a) Is or has been certified by the Alabama Peace Officers' Standards and Training Commission.

(b) Is employed full-time for at least seven years by a single law enforcement agency in the state, or at least 12 continuous years on a full-time basis by more than one law enforcement agency in the state.

(c) If no longer employed in law enforcement or retired, was not terminated from the most recent employment as a law enforcement officer pursuant to a disciplinary action.

(11) REQUIRED EDUCATIONAL EXPENSES. Costs charged for tuition, mandatory fees, and books or electronic and digital media required on a course syllabus.

Author: Takena V. Jones, Stephanie C. Dolan

Statutory Authority: Code of Alabama 1975, §§16-5-1, et seq.

History: New Rule: Published _____; effective _____.

300-4-15-.05 Audit.

Each participating institution receiving grants on behalf of, and to the credit of, any student shall be subject to examination at any time by the Commission, the Examiner of Public Accounts, or the State Auditor, for the purpose of determining whether the participating institution has complied with the rules, regulations, and procedures of the Alabama Law Enforcement Officers' Family Scholarship Program.

Author: Takena V. Jones, Stephanie C. Dolan

Statutory Authority: Code of Alabama 1975, §§16-5-1, et seq.

History: New Rule: Published _____; effective _____.

300-4-15-.06 Application Procedures.

(1) The Commission shall make the Alabama Law Enforcement Officers' Family Scholarship award available to eligible students at participating institutions by the following:

(a) Applicants shall obtain the application from the Commission's website (www.ache.edu).

(b) Applicants shall be required to complete the application and attach the appropriate documentation to substantiate eligibility with respect to a qualifying law enforcement officer. Such required documentation must include one of the following:

1. a copy of a natural child's birth certificate,
2. adoption papers for an adopted child, or

3. a marriage certificate for a spouse.

(c) The applicant shall submit the completed application, along with required documentation, to the Commission. Each applicant shall be notified by the Commission when an application is incomplete.

(d) The Commission shall review each application and determine if the applicant meets eligibility requirements for participation in the program.

(e) Upon approval of the application, the Commission shall request the participating institution to submit an invoice for reimbursement via the Alabama Law Enforcement Officers' Family Scholarship.

(f) Payments for eligible students shall be forwarded to the financial aid office of the participating institution.

(g) The scholarship shall pay the required educational expenses after any other amounts from public or private scholarships, grants, aid, or gifts awarded by third parties to the eligible dependent for the academic period have been applied up to the cost of attendance.

Author: Takena V. Jones, Stephanie C. Dolan

Statutory Authority: Code of Alabama 1975, §§16-5-1, et seq.

History: New Rule: Published _____; effective _____.

300-4-15-.07 Disbursement of Funds and Refund Requirements.

(1) The Commission shall determine the dollar amount of each scholarship award and shall submit a voucher to the State Comptroller. Each eligible student enrolled at full-time status may receive a maximum of \$3,000 at a university or \$1,500 at a community college per academic period. Eligible students enrolled at part-time status shall receive a prorated award amount. No eligible student shall receive the scholarship at more than one participating institution during any one academic term.

(2) A lump sum check payable to the participating institution for each eligible student listed on the voucher. The check shall be forwarded to the participating institution for credit to each student's account or for the payment to the participating institution for delivery of funds to the eligible student. No later than thirty (30) calendar days after receipt of the scholarship check, the participating institution shall deliver

the scholarship funds to the eligible student and return completed certification form to the Commission.

(3) If a student whose eligibility for the scholarship was certified by a participating institution but becomes ineligible for the scholarship before the expiration of the institutional refund period, the scholarship funds shall not be delivered to the student but shall be returned to the Commission.

Author: Takena V. Jones, Stephanie C. Dolan

Statutory Authority: Code of Alabama 1975, §§16-5-1, et seq.

History: New Rule: Published _____; effective _____.

300-4-15-.08 Review Procedures.

(1) The institutional review will enable the Commission to express an opinion of the administrative controls and of the compliance aspects of the Alabama Law Enforcement Officers' Family Scholarship at the participating institution.

(2) The primary objectives identified for the reviewer performing institutional reviews are:

(a) To determine whether the participating institution's reports present information accurately and in conformity with the Alabama Law Enforcement Officers' Family Scholarship policies and procedures, and whether all reports are prepared on a consistent basis from one period to the next;

(b) To determine whether the participating institution has implemented and is utilizing reasonable procedures and internal controls for effectively discharging management responsibilities and for adequately protecting the state's interest;

(c) To review institutional records and report on areas of noncompliance; and

(d) Based upon the review, to provide constructive recommendations to the participating institution.

(3) The participating institution shall make all records and information relative to the Alabama Law Enforcement Officers' Family Scholarship available to the Commission.

(4) A written report shall be provided by the Commission to the participating institution and shall include:

- (a) Any findings of inaccuracies in institutional reports;
- (b) Any inconsistencies in institutional reports;
- (c) Conclusions regarding the adequacy of administrative controls;
- (d) Any areas of noncompliance; and
- (e) Recommendations for improvement.

(5) If the participating institution does not concur with all items in the written review report, a written appeal should be submitted to the Executive Director of the Commission.

(6) When an institutional review reveals sufficient problems pertaining to the Alabama Law Enforcement Officers' Family Scholarship at a participating institution, the Executive Director of the Commission may:

- (a) Impose a temporary suspension of scholarship payments to the participating institution;
- (b) Suspend the institution from participation in the scholarship for an indefinite period of time;
- (c) Demand payment of any Alabama Law Enforcement Officers' Family Scholarship funds to a student or repayment of funds to the State of Alabama to remedy a violation of applicable laws, regulations, agreements, or operating procedures; or
- (d) Refer any problems to the Attorney General of the State of Alabama for appropriate legal action.

(7) A suspended institution may request a hearing by the Commission. The institution shall be notified in writing of the time and place of such Commission hearing.

(8) After such hearing, the Commission shall determine (at an official meeting of the Commission) whether to:

- (a) Continue the suspension pending the receipt of any additional information that the Commission may require;
- (b) Continue the Executive Director's suspension subject to limitations or exceptions;
- (c) Revoke or lift the suspension and restore the institution to full participation as authorized under the regulations;

(d) Terminate the institution's eligibility for an indefinite period of time;

(e) Demand payment of any Alabama Law Enforcement Officers' Family Scholarship funds to a student or repayment of funds to the State of Alabama to remedy a violation of applicable laws, regulations, agreements, or operating procedures; or

(f) Take any other appropriate action the Commission deems necessary, including referral to the Attorney General of the State of Alabama for appropriate legal action.

Author: Takena V. Jones, Stephanie C. Dolan

Statutory Authority: Code of Alabama 1975, §§16-5-1, et seq.

History: New Rule: Published _____; effective _____.

300-4-15-.09 Maintenance of Records.

(1) Each participating institution shall establish and maintain current, adequate records which reflect all transactions with respect to scholarship and fiscal activity as they relate to the administration of the Alabama Law Enforcement Officers' Family Scholarship. The records must be maintained in such a manner as to identify all scholarship and fiscal transactions separately from other institutional activities and funds.

(2) The records for any award period shall be retained for a period of five (5) years following the date of certification on a participating institutional invoice, unless a longer retention period is necessary because of scholarship review or audit resolution. In the event a participating institution closes or ceases operation and fails to matriculate students, institutional Alabama Law Enforcement Officers' Family Scholarship records of the participating institution shall be forwarded to the Commission.

(3) Forms must be used to gather data in a uniform manner from each applicant. Such forms shall contain information relative to all eligibility criteria for an Alabama Law Enforcement Officers Family Scholarship award.

(4) The Executive Director of the Commission or any of the Director's duly authorized representatives will have access for the purpose of review and examination to Alabama Law Enforcement Officers' Family Scholarship records and supporting documents maintained by the participating institution.

(5) The records involved in any claim or expenditure which has been questioned by scholarship review or by state audit must be retained until resolution of any such review or audit questions.

Author: Takena V. Jones, Stephanie C. Dolan

Statutory Authority: Code of Alabama 1975, §§16-5-1, et seq.

History: New Rule: Published _____; effective _____.