

1 SB290  
2 118977-5  
3 By Senator Ross  
4 RFD: Commerce, Transportation, and Utilities  
5 First Read: 19-JAN-10

1 SB290

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4 ENROLLED, An Act,

5 To amend Section 16-33A-1, Code of Alabama 1975,  
6 relating to the Alabama Student Grant Program; to remove the  
7 qualifying requirement that an approved institution be  
8 formally seeking accreditation by the Commission on Colleges  
9 of the Southern Association of Colleges and Schools; and would  
10 add one institution of higher learning located in Montgomery  
11 County, Alabama, to the institutions allowed to participate in  
12 the Alabama Student Grant Program.

13 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

16 "§16-33A-1.

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

20 "(1) ACHE. The Alabama Commission on Higher  
21 Education.

22 "(2) ALABAMA RESIDENT. A person who has been  
23 domiciled in the State of Alabama for a period of at least 12  
24 consecutive months immediately preceding application for a  
25 grant under the Alabama Student Grant Program. The ACHE shall

1 promulgate and enforce regulations further defining and  
2 limiting the term "domicile" so as to limit the benefits of  
3 this legislation to bona fide Alabama citizens, based upon  
4 criteria including residency of parents and guardians, voter  
5 registration of students and parents, drivers license  
6 registration and other facts indicating bona fide citizenship.

7 "(3) APPROVED INSTITUTION. Any independent nonprofit  
8 postsecondary institution of higher learning located in the  
9 State of Alabama which is accredited by the Commission on  
10 Colleges of the Southern Association of Colleges and Schools  
11 or any independent, non-profit postsecondary institution of  
12 higher learning whose credits are accepted by at least three  
13 other institutions which are accredited by the Commission on  
14 Colleges of the Southern Association of Colleges and Schools,  
15 or any independent postsecondary institution of higher  
16 learning with a permanent facility offering classroom  
17 instruction located in Montgomery County, Alabama, which has  
18 been incorporated and in continuous operation for over 50  
19 years and which has been accredited for over 10 years by the  
20 Commission on Colleges of the Southern Association of Colleges  
21 and Schools, prior to the effective date of this amendatory  
22 act. Such an approved institution must have an academic  
23 curriculum which is not comprised principally of sectarian  
24 instruction or preparation of students for a sectarian  
25 vocation and which does not award primarily theologian or

1 seminarian degrees. To the extent that any such institution  
2 may have a religious or denominational affiliation, it must  
3 perform essentially secular educational functions which are  
4 distinct and separable from religious activity. Such an  
5 approved institution must not discriminate in its admissions  
6 practices on the basis of religious or denominational  
7 preference. No independent postsecondary institution of higher  
8 learning shall be considered an approved institution during  
9 any fiscal year in which it receives a direct appropriation  
10 from the State of Alabama. Nothing contained herein shall be  
11 construed to limit, replace or diminish any direct state  
12 appropriation now being made or which shall hereafter be made  
13 to any independent institution of higher learning.

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

16 "a. Has obtained a certificate of graduation from a  
17 secondary school or the recognized equivalent of such  
18 graduation; and

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

21 "c. Is an Alabama resident, as defined in this  
22 chapter; and

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

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

5            "f. Is not enrolled and does not intend to enroll in  
6 a course of study leading to an undergraduate degree in  
7 theology or divinity.

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

11            "(6) GRANT. A monetary award under the Alabama  
12 Student Grant Program to an approved institution on behalf of  
13 and to the credit of an eligible student pursuant to this  
14 chapter.

15            "(7) INSTITUTIONAL RELATED EXPENSES. Nonsectarian  
16 educational expenses, including, but not limited to, tuition,  
17 mandatory fees, room and board, transportation, books and  
18 supplies and other incidental nonsectarian education expenses  
19 anticipated by an eligible student.

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

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

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

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

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President and Presiding Officer of the Senate

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Speaker of the House of Representatives

SB290  
Senate 06-APR-10  
I hereby certify that the within Act originated in and passed  
the Senate, as amended.

McDowell Lee  
Secretary

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House of Representatives  
Passed: 21-APR-10

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By: Senator Ross