



**Alaska Commission on  
Postsecondary Education**

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**MEMORANDUM**

**TO:** Members, Alaska Commission on Postsecondary Education

**THROUGH:** Diane Barrans, Executive Director

**FROM:** Rochelle Rogers, Executive Secretary 

**DATE:** October 5, 2015

**SUBJECT:** Regulations for Adoption

The Alaska Commission on Postsecondary Education (ACPE) proposes to adopt a regulation change to Title 20 Chapter 15 of the Alaska Administrative Code dealing with the regulation of Alaska state financial aid programs (AS 14.43), including the following:

- Revise federal poverty guidelines for 2015 (20 AAC 15.915); and
- Make general housekeeping and conforming changes.

**Motion: Move adoption of a regulation change to Title 20, Chapter 15 to update federal poverty guidelines.**

**The introduction to each section will show whether it is an existing regulation being amended, an existing regulation being repealed and readopted, or a new regulation.**

**In amendments to existing regulations:**

**Underlined and bold language is new.**

**[UPPERCASE LANGUAGE WITHIN BRACKETS IS DELETED]**

**A proposed new regulation or replacement of an existing regulation will not be underlined or in bold.**

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**20 AAC 15.915(e) is amended to read:**

(e) A request for a hearing on the commission's authority to seize a defaulted borrower's permanent fund dividend shall be accompanied by a \$25 fee to cover costs of retrieval and duplication of the borrower's file, mailing of duplicated documents, and research of the borrower's payment history. This fee shall be waived if a borrower documents that the borrower's total income from all sources falls below the federal poverty guidelines for the borrower's family size. To request a waiver of fee under this subsection, the borrower must submit a request on a form or in a format provided by the commission and include with the request a copy of the borrower's federal income tax return for the past year. The commission will refund a fee paid under this subsection not later than 30 days after receipt of a decision by a court or administrative agency that the seizure was not allowed under AS 14.43.145(a)(2) and 20 AAC 15.970(e)(3). In this subsection, "federal poverty guidelines" means the United States Department of Health and Human Services poverty guidelines for this state established in **80 Fed. Reg. 3236 – 3237, revised as of January 22, 2015** [79 FED. REG. 3593 – 3594, REVISED AS OF JANUARY 22, 2014], and adopted by reference. (Eff. 6/23/95, Register 134; am 1/30/2003, Register 165; am 12/31/2005, Register 176; am 6/7/2007, Register 182; am 10/18/2007, Register 184; am 7/12/2008, Register 187; am 8/19/2009, Register 191; am

Register \_\_\_\_\_, \_\_\_\_\_ 2015 MISCELLANEOUS BOARDS

5/26/2011, Register 198; am 11/16/2012, Register 204; am 2/21/2014, Register 209; am  
2/22/2015, Register 213; am \_\_/\_\_/\_\_\_\_, Register \_\_\_\_)

Authority:	AS 14.43.100	AS 14.43.320	AS 14.43.640
	AS 14.43.105	AS 14.43.630	AS 14.43.740