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Honorable Joseph T. Sutton
Executive Director
Alabama Commission on Higher Education
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Commission on Higher Education -
Education - Scholarships - Funds

The ACHE has responsibility for
administering all contracts
dealing with the Emergency
Secondary Education Scholarship
Program.

Dear Mr. Sutton:

We are in receipt of your recent request for an opinion from the Attorney General. Your question involves that part of Alabama Act 84-622 which deals with the follow-up on agreements entered into between the Emergency Education Scholarship Program recipients for 1982-83 and 1983-84 and the State Board of Education. Your question was:

Does the State Board of Education retain responsibility for the contracts entered into between the State Board and Emergency Secondary Education Scholarship Program recipients for the 1982-83 and 1983-84 academic years?

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Section 11 of Alabama Act 84-622 states in part:

The responsibility and authority for administering the scholarship loan program shall be vested in the Alabama Commission on Higher Education effective October 1, 1984.

It is the opinion of this office that the ACHE was given the responsibility for administering all contracts after October 1, 1984. This necessarily includes those which were entered into before October 1, 1984. Therefore, the ACHE and not the State Board of Education has responsibility for the Emergency Secondary Education Scholarship Program contracts.

I hope that this response fully answers your questions. If, however, we may be of further service, please do not hesitate to contact us.

Sincerely,



ALICE ANN BOSWELL
ASSISTANT ATTORNEY GENERAL

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