

**U.S. Department of Education
Title IV Negotiated Rulemaking Team
ACG/National SMART Grants Team
February 5 – 7, 2007**

Welcome

Carney McCullough welcomed negotiators to this round of negotiated rulemaking and introduced Department of Education staff including Steve Finley, Office of the General Counsel who accompanied Mrs. McCullough at the table.

Introductions of Negotiators and Alternates

Negotiators, Alternates and Facilitators introduced themselves to the committee.

Review and Finalize Protocols

The team received the organizational protocols. Negotiators were informed the protocols are binding at the table and open for further discussion. The protocols were accepted without comment.

Petitions for Membership

Committee members petitioned for the inclusion of their colleagues as alternates, including Cheryl Orr for Indiana Education Round Table and Robin Gelinias for Texas Education Agency. Nancy Broff for Career College Association petitioned for inclusion as a negotiator. In response to questions on the nominations, the Department stated that outside experts would be permitted to participate in discussions to provide technical insight on a particular topic. The Committee accepted Cheryl Orr and Robin Gelinias membership petitions. There was dissent against the nomination for Nancy Broff.

Review and Finalize Agenda

The department initially identified six issues for discussion and negotiation during this Negotiated Rulemaking session via the Federal Register Notice. Members identified and the Committee added, by consensus, four additional items to the negotiating agenda. The Committee reached final consensus on its agenda for negotiations that includes ten items.

Workshop Style Discussion of Agenda Items

The committee discussed each agenda item in a workshop format that provided for the Federal Negotiator to identify the issue, describe the Department's understanding of the issue, and then solicit the interests, concerns, and advice of the Committee members with respect to the issue.

1. Rigorous secondary school programs
2. Mandatory institutional participation in ACG and National SMART Grants
3. Eligibility of Certificate programs for ACG
4. Requirement that Pell Grants and ACG or National SMART Grants be disbursed at the same institution when awarded within the same term

5. Grade point average
 - a. Transfer students
 - b. Coursework
 - c. Timing of calculation
 - d. Eligibility for disbursement
6. Academic year progression

The Committee next discussed the four items added to the agenda by consensus:

7. Interpretation of previously enrolled for student eligibility
 - a. College credits earned while in high school, including dual-credit programs and early college programs
 - b. Treatment of AP/IB courses and credits
8. Majors
 - a. Additional majors and CIP codes
 - b. Institutional flexibility in determining majors
9. Clarify what successful completion of rigorous secondary school program of study means
10. Departmental monitoring disbursements of student awards by academic year

Public Comment

Facilitators opened the discussion floor to the public at the end of each meeting day. No substantive comments were provided from the public in attendance.

Next Meeting

The Department will provide draft regulatory language for issues at least seven days prior to the next meeting. The next meeting will be held no sooner than March 5, 2007, during which the Committee will undertake a thorough review of each issue in attempt to reach tentative agreements on each item.