

Zell Miller Grant Program

REGULATIONS – 3000.

2016 - 2017 Award Year



Effective Date – July 1, 2016

GSEFC | Georgia Student
Finance Commission

2082 East Exchange Place
Tucker, Georgia 30084

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3002. Program Overview.

The Zell Miller Grant Program provides grant assistance to residents of Georgia pursuing Certificates or Diplomas at Georgia's eligible public postsecondary institutions. The Zell Miller Grant Program does not include a high school academic requirement, however, recipients are required to have a minimum Postsecondary Cumulative Grade Point Average of 3.50 at the end of each term. The purpose of the Zell Miller Grant Program is to encourage Georgians to obtain technical education in order to increase the knowledge and skills of Georgia's workforce.

An eligible student seeking a Certificate or Diploma from a Technical College System of Georgia (TCSG) or University System of Georgia (USG) institution may receive Zell Miller Grant funds as determined by the Georgia Student Finance Commission (GSFC).

The Zell Miller Grant Program was created beginning with the Fall term of the 2016-2017 Award Year (State Fiscal Year 2017). The program is fully funded by the Georgia Lottery for Education and administered by GSFC, in accordance with the Official Code of Georgia Annotated §20-3-519, et seq.

Students Enrolled in a GSFC approved, designated program of study who are eligible for, and receiving, Zell Miller Grant funding may also be eligible for funding from the Strategic Industries Workforce Development Grant (SIWDG).

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3003. Definitions. (Electronic Link)

3004. General Eligibility Requirements.

3004.1. Citizenship.

1. A student must be a United States Citizen or an Eligible Non-Citizen for 12 consecutive months immediately prior to the first day of classes of the school term for which the Zell Miller Grant is sought. Employees of the Free Trade Area of the Americas (FTAA), their spouses, and their dependents are not exempt from this requirement.

3004.2. Georgia Residency.

1. A student attending a USG or TCSG institution who meets the Georgia Residency requirements of the Board of Regents (BOR) or State Board of TCSG at the time of his or her high school graduation, Home Study program completion or successful GED test, must also meet such Georgia Residency requirements for 12 consecutive months immediately prior to the first day of classes of the school term for which the Zell Miller Grant is sought.
2. A student who does not meet the Georgia Residency requirements of BOR or State Board of TCSG at the time of high school graduation, Home Study program completion or successful GED test must meet such Georgia Residency requirements for 24 consecutive months immediately prior to the first day of classes of the school term for which the Zell Miller Grant is sought.
3. Military Personnel, Military Spouses, or Dependent Children, shall be treated as a Georgia Resident for purposes of Zell Miller Scholarship eligibility if:
 - a. The Military Personnel is stationed in Georgia on active duty, or lists Georgia as his or her home of record.
 - b. A USG or TCSG institution grants a Military Personnel Out-of-State Tuition Waiver or Exemption, then such student meets the Georgia Residency requirements of the Zell Miller Scholarship.
4. No other Out-of-State Tuition Waiver, other than for Military Personnel and their dependents, applies to students in the Zell Miller Scholarship Program.
5. The full time employees of the Free Trade Area of the Americas (FTAA), who are recognized by the United States Department of State as based in Georgia, their spouses, and their dependents are considered to meet the Georgia Residency requirements for participation in the Zell Miller Grant Program, regardless of the length of time they have resided in the State of Georgia.

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6. A student who was correctly determined to meet the Georgia Residency requirements for purposes of Zell Miller Grant eligibility and began receiving Zell Miller Grant payment, will continue to meet the Georgia Residency requirements for purposes of Zell Miller Grant eligibility, unless he or she has a break in Enrollment of two or more consecutive semesters or quarters and resides outside of Georgia for 12 or more consecutive months.
 - a. If such student later returns to Georgia, he or she must re-establish Georgia Residency for 12 consecutive months (refer to *Section 3004.2.1.*), before regaining Zell Miller Grant eligibility.
7. A student who has a break in Enrollment of two or more consecutive semesters or quarters, and who resides outside Georgia for less than 12 consecutive months, and then later returns to Georgia and Enrolls in an Eligible Postsecondary Institution within 12 consecutive months from his or her most recent date of Enrollment in an Eligible Postsecondary Institution, will continue to meet the Georgia Residency requirements for purposes of Zell Miller Grant eligibility.

3004.3. Enrollment Status.

1. A student must be Enrolled at a USG or TCSG Eligible Postsecondary Institution in a Matriculated status leading to a Certificate or Diploma.
 - a. The Certificate or Diploma program of study must be approved by the Board of Commissioners of TCSG or be a comparable program of study approved by BOR of USG.
2. A student is eligible for Zell Miller Grant payment regardless of the number of credit hours for which he or she is Enrolled during a school term. Half-Time or Full-Time Enrollment is not a requirement.
3. A student is eligible for Zell Miller Grant payment for a Certificate or Diploma course only if such course is included in his or her Certificate or Diploma program of study.
 - a. The only exception is for Degree courses that have a direct and specific correlation to required courses included in the student's Certificate or Diploma program of study.
 - i. A student cannot receive Zell Miller Grant payment for Degree courses used to fulfill general elective requirements for a Certificate or Diploma program of study.
4. For the school term in which a student reaches the Paid-Hours or Combined Paid-Hours limit, the student can be paid only for the hours up to the Paid-Hours or Combined Paid-Hours limit (refer to *Sections 3005.3. and 3005.5.*). A student

who will reach the Zell Miller Grant Paid-Hours Limit or the Combined Paid-Hours Limit with a fraction of an hour can be paid for a full hour.

3004.4. Satisfactory Academic Progress.

1. A student must maintain Satisfactory Academic Progress (SAP), as defined and certified by his or her Eligible Postsecondary Institution.

3004.5. Selective Service Registration.

1. A student must be in compliance with the United States Selective Service System requirements, where applicable, prior to the Zell Miller Grant application deadline (refer to *Section 3007.2.*) in order to be eligible for Zell Miller Grant payment for such school term.

3004.6. Defaulted Loan or Refund Due.

1. A student must not be in default on a Federal Title IV or State of Georgia educational loan, or owe a refund due to an over-award on a Federal Title IV or State of Georgia student financial aid program, or in any other way be in violation of Federal Title IV Programs Regulations or State of Georgia student financial aid program regulations. A student must meet the requirements of this section at the time funds are disbursed by GSFA on behalf of the student.
2. A student's federal default status can be resolved in one of five ways:
 - a. Completing an acceptable rehabilitation plan;
 - b. Having the loan repurchased by the original lender and the default status reversed;
 - c. Consolidating the loan out of a default status;
 - d. Receiving an approved Title IV debt settlement, to include a compromised settlement; or
 - e. Making monthly payments over a specified period agreed-upon with the lender of the Student's federal loan; each payment must be on time and voluntary to be in a satisfactory repayment plan.
3. A student's State of Georgia refund due status can be resolved by:
 - a. Paying the refund due to the Eligible Postsecondary Institution at which the over-award occurred. The Eligible Postsecondary Institution will then forward the payment to GSFA.

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4. A student's default status on a State of Georgia loan can be resolved by:
 - a. Paying off the defaulted loan in full.
5. If such student has repaid the defaulted loan or refund due in full, or resolved the default status, then he or she may be eligible to receive state scholarship or grant funds beginning with the school term in which repayment was made in full but not retroactively for previous school terms.

3004.7. Georgia Drug-Free Act.

1. A student convicted of committing certain felony offenses involving marijuana, controlled substances, or dangerous drugs, may be ineligible for Zell Miller Grant payment from the date of conviction to the completion of the following school term, in accordance with the Georgia Drug-Free Postsecondary Education Act of 1990, O.C.G.A. §20-1-20, et seq.

3004.8. Incarceration.

1. A student seeking a Certificate or Diploma from an Eligible Postsecondary Institution is ineligible for Zell Miller Grant payment while Incarcerated. Upon release from Incarceration, such students may begin receiving Zell Miller Grant payments, if he or she meets all eligibility requirements.

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3005. Program Specific Eligibility Requirements.

3005.1. End of Term Checkpoint.

1. A Zell Miller Grant recipient must have earned a minimum 3.50 Postsecondary Cumulative Grade Point Average (excluding Learning Support and Dual Credit Enrollment hours) at the end of each term the student is Enrolled at the attending Eligible Postsecondary Institution in order to be eligible for Zell Miller Grant the following term of Enrollment.
2. A student may be retroactively awarded the Zell Miller Grant for the first term of Enrollment (excluding Dual Credit Enrollment or Joint Enrollment) after verification of a minimum Postsecondary Cumulative Grade Point Average (*refer to Section 3005.2.*).
 - a. Dual Credit Enrollment and Joint Enrollment terms are not considered as first term of enrollment. The term of postsecondary Enrollment after high school enrollment would be considered the first term of Enrollment for Zell Miller Grant eligibility.
 - b. A retroactive award of Zell Miller Grant is only allowed for one term.
3. If a student was awarded the HOPE Grant for the first term and the student has a minimum Postsecondary Cumulative Grade Point Average of 3.50 at the end of that term, the school shall return the HOPE Grant funds and award the Zell Miller Grant.
4. If a student's Postsecondary Cumulative Grade Point Average is below 3.50 at the end of a term, the student is not eligible to receive the Zell Miller Grant for the following term of Enrollment.
5. A student who lost his or her Zell Miller Grant eligibility at the end of a term for failure to earn a minimum 3.50 Postsecondary Cumulative Grade Point Average, can regain Zell Miller Grant eligibility if his or her Postsecondary Cumulative Grade Point Average (excluding Learning Support and Dual Credit Enrollment hours) is at least 3.50 at the end of the next school term and such student meets all other Zell Miller Grant requirements.
 - a. Students that regain eligibility are eligible for the maximum Zell Miller Grant Paid-Hours of 63 semester or 95 quarter hours of payment.

3005.2. Coursework Included in GPA Calculation.

1. The Postsecondary Cumulative Grade Point Average calculation for the Zell Miller Grant is cumulative of all coursework taken (excluding Learning Support and Dual Credit Enrollment coursework), beginning Summer term 2003 with recorded HOPE Grant Paid-Hours.

- a. The Postsecondary Cumulative Grade Point Average must be calculated at the end of each term of enrollment.

3005.3. Paid-Hours Limit.

1. A student may receive Zell Miller Grant payment for all coursework required by an Eligible Postsecondary Institution for a program of study leading to a Certificate or Diploma, including Learning Support coursework if the student has a minimum Postsecondary Cumulative Grade Point Average of 3.50 (*refer to Section 3006.2.*).
 - a. Recipients are limited by the number of credit hours for which they can receive Zell Miller Grant payment, referred to in these regulations as the Paid-Hours limit.
 - i. The Paid-Hours limit is 63 semester or 95 quarter hours of Zell Miller Grant and HOPE Grant payment.
 - ii. For the school term in which a student reaches the Paid-Hours limit of 63 semester or 95 quarter hours, the student can be paid only for the hours up to the Paid-Hours limit.

3005.4. Paid-Hours Calculation.

1. Certificate or Diploma credit hours, beginning with Fall term 2014, for which the student received Zell Miller Grant payment, must be counted as Paid-Hours.

3005.5. Combined Paid-Hours Limit.

1. A student is ineligible to receive Zell Miller Grant payment once he or she reaches the Combined Paid HOPE and Zell Miller Grant Hours limit of 63 semester or 95 quarter hours.
2. A student is ineligible to receive Zell Miller Grant payment once he or she reaches the Combined Paid-Hours limit of 127 semester or 190 quarter hours from any combination of Zell Miller Grant or HOPE Scholarship Paid-Hours, plus HOPE or Zell Miller Grant Paid-Hours, plus Accel Program Paid-Hours (through FY2011).

3005.6. Attainment of a Certificate, Diploma, or Degree.

1. Regardless of the number of Zell Miller Grant Paid-Hours or Combined-Paid Hours a student has accumulated, such student is ineligible for Zell Miller Grant payment if he or she has attained a Baccalaureate Degree, at any time, from any postsecondary institution, including the equivalent of a Baccalaureate

Degree from a foreign institution as indicated by the foreign academic transcript and/or foreign academic transcript translation.

2. Recipients of the Zell Miller Grant are not limited by the number of Certificate or Diploma programs of study for which they can receive Zell Miller Grant payment, provided the Paid-Hours and/or the Combined Paid-Hours limit has not been reached.

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3006. Eligible and Ineligible Coursework.

3006.1. Joint Enrollment and Dual Credit Enrollment Coursework.

1. A student is ineligible for Zell Miller Grant payment for Certificate or Diploma coursework while participating in Joint Enrollment or Dual Credit Enrollment.

3006.2. Learning Support Coursework.

1. A student seeking a Certificate or Diploma who Enrolls in Learning Support coursework, is eligible for Zell Miller Grant payment for such coursework, if the student has a Postsecondary Cumulative Grade Point Average of at least 3.50 and meets all other Zell Miller Grant eligibility requirements. Such Learning Support credit hours must count toward the Paid-Hours limit and the Combined Paid-Hours limit.
 - a. Grades for Learning Support coursework are not included in the student's Postsecondary Cumulative GPA calculation at the end-of-term Checkpoint.

3006.3. Coursework Exemptions.

1. A student is ineligible to receive Zell Miller Grant payment for coursework that was exempted or given credit by examination, testing, training, or experience.

3006.4. Distance Learning Coursework.

1. A student participating in Distance Learning coursework is eligible to receive Zell Miller Grant payment if all other eligibility requirements are met. The institution offering the Distance Learning coursework must be a TCSG or USG Eligible Postsecondary Institution.
 - a. Courses must be applicable toward the Certificate or Diploma program of study at the time of earning and being awarded the Zell Miller Grant.

3006.5. Transient Coursework.

1. A Transient student is eligible to receive Zell Miller Grant payment if all other eligibility requirements are met. Both the Home Institution and the Host Institution must be a TCSG or USG Eligible Postsecondary Institution.
2. The Host Institution awards Zell Miller Grant funds to the Transient student based on certification of eligibility from the Home Institution.
 - a. The Home Institution is responsible for verifying the eligibility of its Transient students. The Zell Miller Grant award must be the amount the student would normally receive at the Host Institution if he or she were a regular student.

- b. The Host Institution must report Zell Miller Grant payment for Transient students to GSFC in the same manner it reports Zell Miller Grant payments for its regular students.
 - i. Upon the student's return to the Home Institution, the Home Institution must receive from the Host Institution information necessary for the Home Institution to determine continued Zell Miller Grant eligibility.
 3. The Home Institution is liable for the Return of Funds the student receives at the Host Institution, if the Home Institution erroneously certifies the student's eligibility to the Host Institution.

3006.6. Study Away Coursework.

1. A student seeking a Certificate or Diploma is ineligible to receive Zell Miller Grant payment for Study Away coursework.

3006.7. Continuing Education and Audit Coursework.

1. A student is ineligible to receive Zell Miller Grant payment for coursework classified by his or her Eligible Postsecondary Institution as Continuing Education or Audit coursework.

3006.8. Total Withdrawal from Coursework.

1. A student is ineligible for Zell Miller Grant payment for coursework from which he or she totally withdrew if, as a result, such coursework does not appear on the student's academic transcript as a "WI" or any other code or identification for such a withdrawal (refer to *Section 3010.1.*).

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3007. Student Application Requirements.

3007.1. Application Forms.

1. In order to be considered for a Zell Miller Grant, a student must complete one of the following application forms:
 - a. A GSFAPPS electronic application; or
 - b. A current year FAFSA.
 - i. A student who applies for Zell Miller Grant by completing and submitting a FAFSA must complete and submit a new FAFSA for each Award Year.
2. In addition to one of these two applications, an Eligible Postsecondary Institution may require students to complete the Eligible Postsecondary Institution's application for student financial aid or other forms to provide supplemental information for the purpose of determining Zell Miller Grant eligibility.
3. Once a student has submitted a GSFAPPS, and it has been accepted on GSFC's system as a valid application, it will remain on GSFC's system as a valid application for 84 consecutive months following the application's approval date.
 - a. The student's application will remain valid during the 84-month period, regardless of whether or not an Eligible Postsecondary Institution submits a Zell Miller Grant invoice to GSFC on behalf of the student during the 84-month period. Upon conclusion of the 84-month period, the student's application will expire.
 - b. Once an application has expired, the student will be required to submit a new application in order for a Zell Miller Grant invoice to be processed for the student by GSFC.
 - c. If during the original application's 84-month period, the student submits to GSFC a new application for Zell Miller Grant, or an application for a program other than Zell Miller Grant, both applications will remain valid for 84 consecutive months following the second application's approval date.
 - d. The above stipulations apply to all GSFAPPS accepted as valid applications on GSFC's system, including such applications that were submitted to and accepted by GSFC prior to the 2008-2009 Award Year.

3007.2. Application Deadline Date.

1. A student must file a GSFAPPS or FAFSA on or before the last day of the school term (semester or quarter) or the student's withdrawal date, whichever occurs first, in order to be paid for that school term. The last day of the school term is the last day of classes or exams for the Eligible Postsecondary Institution, whichever occurs later. Supplemental documentation required by the Eligible Postsecondary Institution or GSFC to support or verify a student's application information may be submitted after the deadline without jeopardizing the student's eligibility.

3007.3. Application for Subsequent Years.

1. It is not mandatory, except as provided for in *Section 3007.1.1.b.i.*, for a student to complete a new application for the Zell Miller Grant for each Award Year. However, Eligible Postsecondary Institutions may have separate application requirements.

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3008. Award Requirements.

3008.1. Tuition Award.

1. The Zell Miller Grant award amount is equal to the current academic year Standard Undergraduate Tuition amount, on a per hour basis, at the Eligible Postsecondary Institution in which the student is Enrolled, up to a maximum of 15 hours per term.
2. Students Enrolled in Basic Law Enforcement or Commercial Truck Driving programs of study will be paid at the credit hour rate in effect January 1, 2014.
3. Any approved changes to the state scholarship or grant award amounts become effective beginning with the Fall term.
4. If a student is receiving student financial aid from a source other than the Zell Miller Grant and such aid is required by the donor to be applied to the student's Tuition charges, then the student's Zell Miller Grant award must be reduced to an amount equal to the student's full Tuition minus other aid, so that the Zell Miller Grant award amount and other aid do not exceed the total Tuition cost.
5. A student's Zell Miller Grant award is not reduced if the student is receiving financial aid that may be applied to educational expenses other than Tuition, even if the student's total aid exceeds his or her Cost of Attendance.
6. Funds will not be paid retroactively for coursework taken prior to a student's petition to receive a diploma pursuant to O.C.G.A. 20-2-281.1.

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3008.2. Per Credit Hour Awards.

1. For a student Enrolled during a term in which he or she reaches the Paid-Hours limit and/or the Combined Paid-Hours limit, such student can only receive payment for hours up to the limit.

3008.3. Awards Per School Term.

1. The Zell Miller Grant is available to students for the standard school terms of Summer, Fall, and Spring semesters or Summer, Fall, Winter, and Spring quarters.
 - a. An Eligible Postsecondary Institution may combine mini-terms or modules to form the equivalent of a standard semester or quarter.
 - b. An Eligible Postsecondary Institution may offer Non-Standard Terms or Non-Terms, in which courses or modules are taken consecutively to form the equivalent of a standard semester or quarter. Regardless of the structure of an Eligible Postsecondary Institution's school terms, a student may be

awarded Zell Miller Grant funds for a maximum of three semesters or four quarters per Award Year.

3008.4. Student Notification of Award.

1. An Eligible Postsecondary Institution must notify each Zell Miller Grant recipient of the amount of Zell Miller Grant funds he or she is awarded for the Award Year, and identify such funds as a Zell Miller Grant award.
2. A student who wishes to decline a Zell Miller Grant award must do so actively. The Eligible Postsecondary Institution must maintain a record of the student's notification to the Eligible Postsecondary Institution that he or she is declining the award.
 - a. A student's decision to decline a Zell Miller Grant award becomes final and irrevocable on the last day of the term for which the Zell Miller Grant award was made.

3008.5. Strategic Industries Workforce Development Grant Award.

1. All eligibility requirements for the Zell Miller Grant apply to the Strategic Industries Workforce Development Grant (SIWDG).
2. A student Enrolled in a GSFC approved, designated Diploma or Certificate program of study who meets all eligibility requirements for a Zell Miller Grant, and is receiving a Zell Miller Grant award for a term, is also eligible for a SIWDG award for that term. The GSFC approved, designated SIWDG programs of study list is updated and published by July 1 each year.
 - a. High school students participating in Dual Credit Enrollment or Joint Enrollment are not eligible for the SIWDG award.
3. A student's SIWDG award is a fixed amount per term based upon the student's program of study and number of hours of Enrollment. A complete list of approved courses may be found on the [GSFC website](#).

a. Enrolled Hours	Award Amount
9+ hours	\$500.00
3 – 8 hours	\$250.00
1 – 2 hours	\$125.00
4. A student Enrolled in a commercial truck driving program is eligible to receive a one-time SIWDG award of \$1,000.00 for one term.
5. A student who meets all eligibility requirements of the Zell Miller Grant and SIWDG is also eligible to receive full payment from both programs for the same school term up to the student's Cost of Attendance.

3009. Invoicing Requirements.

3009.1. Submission of Invoices.

1. Eligible Postsecondary Institutions may submit Zell Miller Grant invoices to GSFC as early as 15 calendar days prior to the first day of classes for the school term.
2. Invoices must be submitted through GSFC's online invoicing system, Scholarship Up-to-date Records for Electronic Reporting (SURFER), processed, and approved by GSFC by the Invoicing Deadline Date as established by GSFC. Each invoice submitted by the Eligible Postsecondary Institution must include Enrolled-Hours, Paid-Hours, and the student's program of study information, when applicable to the program.
 - a. In the event invoices are submitted to GSFC by Eligible Postsecondary Institutions after the Invoicing Deadline Date for a school term, GSFC may issue a notice of failure to meet the Invoicing Deadline Date to the President and/or governing body of the Eligible Postsecondary Institution and the invoices may not be honored.
3. Prior to the beginning of any Award Year and no later than June 30 of each year GSFC shall establish and publish the Invoicing Deadline Dates for each school term for the upcoming Award Year.
4. An Invoice may be honored or paid after the Invoicing Deadline Date if the failure to meet the date was due to:
 - a. The need for supplemental documentation required by the Eligible Postsecondary Institution or GSFC to support or verify a student's eligibility; or
 - b. Late grades, late completions, grade changes; or
 - c. Other adjustments made to the student's official academic transcript that resulted in a change in eligibility and the student met all other eligibility requirements prior to the deadline.
5. The President of GSFC has sole discretion in the determination of invoice deadlines and extensions. The decision of the President of GSFC shall be final.

3009.2. Payment of Invoices.

1. Zell Miller Grant funds are paid to Eligible Postsecondary Institutions by electronic transfer of funds on behalf of eligible students each school term upon submission to GSFC of a Zell Miller Grant invoice.

3009.3. Tuition Payments.

1. Upon receipt of Zell Miller Grant payments from GSFC, the Eligible Postsecondary Institution must credit the amount of payment on behalf of an eligible student to the account of the student, towards Tuition.

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3010. Student Refunds.

3010.1. Calculation of Refunds.

1. If the student officially withdraws, drops out, drops hours, is expelled, or otherwise fails to complete a period of Enrollment and is entitled to a refund, a portion of such refund may need to be returned to the Zell Miller Grant Program.
 - a. A student is ineligible for the Zell Miller Grant for coursework from which he or she totally withdrew if, as a result, such coursework does not appear on the student's academic transcript as a "W" or any other code or identification for such a withdrawal.
 - b. If the Eligible Postsecondary Institution invoiced GSFC prior to the student's total withdrawal, then the Eligible Postsecondary Institution must cancel the student's Zell Miller Grant award for that term, through SURFER.
2. To determine the refund due to the Zell Miller Grant Program, the Eligible Postsecondary Institution must first apply the Federal Title IV Program's Return of Funds policy for any federal aid the student may have received.
 - a. If applicable, the Eligible Postsecondary Institution must then apply the Eligible Postsecondary Institution's refund policy, which may or may not be identical to the Federal Title IV Programs Return of Funds policy, to the student's original Zell Miller Grant award for Tuition
3. The Eligible Postsecondary Institution must determine the amount of the refund due to the Zell Miller Grant Program. The amount of the Zell Miller Grant award not determined to be owed to the Zell Miller Grant Program is retained by the Eligible Postsecondary Institution to cover the institution's cost for the portion of the school term that the student was Enrolled.
 - a. The Eligible Postsecondary Institution must adjust the student's invoice in SURFER to the new award amount remaining after the refund is calculated within forty-five (45) calendar days of the determination.
 - b. If the student only received Zell Miller Grant funds, the Eligible Postsecondary Institution should return the funds determined to be owed to the Zell Miller Grant Program within forty-five (45) calendar days of the refund determination.
 - i. The Eligible Postsecondary Institution would then collect the refund amount from the student.
 - ii. The student should not be reported with a refund due status to GSFC since the funds have been repaid to GSFC.

4. If the student received a combination of Federal Title IV funds and Zell Miller Grant funds, the Eligible Postsecondary Institution may not have sufficient funds on hand from the student's award disbursements to return to GSFC the refund owed to the Zell Miller Grant Program, after applying the Federal Title IV Return of Funds policy.
 - a. In this instance, the student is considered to have a refund due to GSFC and the Eligible Postsecondary Institution must report the student to GSFC with a refund due status.

3010.2. Collection of Refunds.

1. A borrower in default or who owes a refund may be subject to garnishment of their pay, loss of a professional license, offset of lottery winnings, and/or offset of a state tax refund. GSFC will notify the borrower that they are in default and GSFC intends to proceed with any of the remedies listed in this subsection. The borrower will be given sixty days from the date of the notification to make the loan current or to put in place a satisfactory payment plan.

3010.3. Emergency Military Duty.

1. A student who is a member of the United States Armed Forces, National Guard, or Military Reserve Forces receiving funds from the Zell Miller Grant Program who is called to emergency military duty during a school term that is already in progress should not have his or her Zell Miller Grant eligibility negatively impacted.
2. If the Eligible Postsecondary Institution the student attends allows the student to totally withdraw and receive a grade such as "WM" for military withdrawal or the Eligible Postsecondary Institution totally removes all grades for that term and corresponding credit hours from the student's records, the Eligible Postsecondary Institution should return the full amount of the Zell Miller Grant award to the Zell Miller Grant account.
3. This regulation may also be applied to students who are not members of the military but are otherwise unusually and detrimentally affected by the emergency activation of members of the military, as determined by the president of the Eligible Postsecondary Institution that such student is attending.

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3011. Reconciliation Requirements.

3011.1. Term-Reconciliation.

1. Eligible Postsecondary Institutions must conduct a Term-Reconciliation by the end of each term.
 - a. A Term-Reconciliation consists of an official acknowledgement by an authorized school official, through SURFER, that the number of students submitted for payment, amount invoiced by the Eligible Postsecondary Institution, the number of students awarded, and amount issued by GSFC, according to SURFER, is accurate on that date.
 - b. GSFC will not issue any state grant funds for the following term until the Term-Reconciliation is complete.
 - c. Funds are not returned to GSFC as part of the Term-Reconciliation process.

3011.2. Fiscal Year End Reconciliation.

1. In addition to the Term-Reconciliations, the Eligible Postsecondary Institution must conduct the Fiscal Year End Reconciliation through SURFER.
 - a. The Eligible Postsecondary Institution must conduct a complete student-by-student Fiscal Year End Reconciliation with GSFC that includes:
 - i. Submission of a reconciliation certification form by July 15, immediately following the completion of the Fiscal Year for each State Program, verifying accuracy of each invoice submitted by the Eligible Postsecondary Institution with respect to Enrolled-Hours, Paid-Hours, Learning Support hours, and the student's program of study information, when applicable to the program; and
 - ii. Return to GSFC any funds not utilized according to the Fiscal Year End Reconciliation by August 15 after the beginning of the new Fiscal Year.
 - b. GSFC will not issue any state scholarship or grant funds for the Fall term until the previous Fiscal Year End Reconciliation process is complete.
 - c. The Eligible Postsecondary Institution must have a procedure in place to ensure that the state scholarship and grant funds do not go to an unintended third party (i.e., state, postsecondary institution).

3012. Records Retention Requirements.

3012.1. Length of Retention.

1. An Eligible Postsecondary Institution shall maintain accurate records, books, documents and other evidence concerning the Zell Miller Grant Program, including, but not limited to, individual student files for whichever is longer:
 - a. Three years after the Award Year in which the aid was awarded; or
 - b. For such other period as required by an applicable statute, rule, or regulation; or
 - c. Such other time as requested in writing by GSFC.

3012.2. Documentation.

1. Documentation contained within an individual student file or record, which supports the original determination of a student's eligibility, must be retained by the Eligible Postsecondary Institution and available for review by GSFC on the Eligible Postsecondary Institution's campus, located within the State of Georgia, for at least three calendar years after the most recent Award Year for which the student received Zell Miller Grant funds (refer to *Section 3014*). Eligible Postsecondary Institutions are permitted to maintain these documents in an imaged media format.
2. The imaged media format must be capable of reproducing an accurate, legible, and complete copy of the original document.
 - a. Such documentation may include, but is not limited to, copies of permanent resident alien cards, Georgia state income tax returns, student financial aid applications and academic transcripts from previous institutions.
 - i. Documentation regarding a student's eligibility is not limited to files, records, and other information received and maintained by the Eligible Postsecondary Institution.
 - ii. Documentation supporting a student's eligibility that is received and maintained by the Eligible Postsecondary Institution's admissions office, registrar's office, business office, or other administrative operations of the institution, must be available to GSFC for the purpose of Compliance Reviews.
3. It is the Eligible Postsecondary Institution's responsibility to resolve any inconsistencies or conflicting information within a student's records, prior to awarding or disbursing Zell Miller Grant funds to the student.

3012.3. Extended Retention.

1. An Eligible Postsecondary Institution may be required to retain student records involved in a Compliance Review Audit or investigation for more than the three-year retention period set forth in *Section 3012.1*. If the three-year retention period expires before the issue in question is resolved, the Eligible Postsecondary Institution must continue to retain all associated records until resolution is reached.

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3013. Administrative Reviews and Exceptions.

1. As provided by this section, a student may request an Administrative Review of the application of a Zell Miller Grant rule, policy or regulation if the student believes such rule, policy or regulation was incorrectly or improperly applied or a student may request an Exception to a Zell Miller Grant rule, policy or regulation if there are exceptional circumstances warranting the request.

3013.1. Administrative Reviews.

1. The Zell Miller Grant regulations are applied to each student considered for Zell Miller Grant funds by appropriate officials of Eligible Postsecondary Institutions and by the administrative staff of GSFC.
2. If a student believes a Zell Miller Grant rule or regulation was incorrectly applied in his or her case, the student has the right to file a request for an Administrative Review with GSFC and must follow the Zell Miller Grant Administrative Review process as set forth in these regulations.
3. In order for a request for an Administrative Review to be considered, the student must submit a written request for an Administrative Review to GSFC's office within forty-five calendar days of receiving notice of denial from the Eligible Postsecondary Institution. If additional information is requested from the student, it must be provided within the time frame specified by GSFC.
 - a. GSFC will review the case and determine whether the rule or regulation was applied correctly and notify the student and Eligible Postsecondary Institution of the determination.
 - b. GSFC decides a case based only on documentation provided, rather than a personal presentation.

3013.2. Requesting an Exception.

1. The Board of Commissioners of GSFC may grant a Zell Miller Grant award to a student who fails to meet the regulatory requirements for Zell Miller Grant funds in very limited and exceptional cases as provided by *Section 3013.3. Guidelines for Approval of an Exception Request*. The Board of Commissioners has sole discretion to grant an Exception based on the circumstances presented by a student who has incurred a loss of Zell Miller Grant eligibility.
 - a. No student has the right to a Zell Miller Grant award under any of the circumstances described in *Section 3013.4*.
 - b. No student has the right to appeal the denial of an Exception by the Board of Commissioners.

- c. Each individual Zell Miller Grant recipient is limited to one Exception, as granted by the Board of Commissioners, and such Exception shall only apply to one school term.
 - d. The authority of the Board of Commissioners to grant Exceptions, hereunder, extends only to the determination of Attempted-Hours and/or Paid-Hours, and only to the extent such Exceptions would not be contrary to state law. The Board of Commissioners does not have authority to revise a student's Postsecondary Cumulative Grade Point Average or waive the requirements that a student attain or maintain a specific Postsecondary Cumulative Grade Point Average as otherwise required herein or by law.
2. Exceptions may be granted for extenuating circumstances such as a Serious Injury, Psychiatric Disorder, Serious Illness, death of an Immediate Family Member and/or step-parent, step-child or step-sibling, to provide temporary care for an Immediate Family Member and/or step-parent, step-child or step-sibling.
 - a. In cases where a Serious Illness, Serious Injury or Psychiatric Disorder is the basis for an Exception request, such illness, injury or psychiatric disorder must have been sustained, diagnosed or treated within the six months immediately preceding the student's official date of withdrawal from the academic term for which the Exception is being requested.
 - b. In cases where the death of an Immediate Family Member and/or step-parent, step-child or step-sibling is the basis for an Exception request, the death of such family member and or step-parent, step-child or step-sibling must have occurred within the six months immediately preceding the student's official date of withdrawal from the academic term for which the Exception is being requested.
3. The GSFC Board of Commissioners' decision to approve or deny an Exception request is final and cannot be appealed.
 - a. In order for an Exception to be considered, the student must submit a written request for an Exception to GSFC's office within forty-five calendar days of receiving notice of denial of his or her Zell Miller Grant award. All required documentation must be provided at the time of submission.
 - b. Omission of documentation or incomplete requests may not be considered by the GSFC Board of Commissioners and may result in an automatic denial.
4. Items required to be considered for an Exception by GSFC must be received by close of business on the deadline date listed below. These items are to be received by GSFC in one complete packet; incomplete packets may not be

considered. In some cases it may be necessary to wait until the next Board meeting to convene before a decision can be rendered.

a. Deadline Submission Dates

Board Meeting

First Friday in August
First Friday in November
First Friday in February
First Friday in May

Submission Deadline

First Friday in July
First Friday in October
First Friday in January
First Friday in April

5. GSFC staff shall review each request for Exception to determine whether such request satisfies the Guidelines for Approval of an Exception Request set forth in *Section 3013.3*.

Each request for Exception that has been determined by GSFC staff to satisfy the Guidelines for Approval of an Exception Request set forth in *Section 3013.3*, shall be summarized by staff and presented to the Public Policy and Law Committee of the Board of Commissioners. The requests for Exceptions shall be approved or denied by the Public Policy and Law Committee. The Committee's decisions are then presented to the full Board for approval or denial.

- a. GSFC staff will notify the student of the Board of Commissioners' decision within seven calendar days of the approval or denial.
- b. The Board of Commissioners has heretofore authorized staff to deny, on its behalf, each request for Exception that has been determined by GSFC to fall within the Guidelines for Denial of an Exception Request set forth in *Section 3013.4*. Such requests for Exception shall not be presented to the Public Policy and Law Committee of the Board of Commissioners, unless the student, having been informed of the denial, shall have requested that such request be submitted to the Public Policy and Law Committee, by the deadline set forth in *Section 3013.2.4* above.
6. Exceptions granted by the Board of Commissioners shall provide for the forgiveness of postsecondary Attempted-Hours and/or Paid-Hours; but:
- a. In no case or circumstance shall a student's postsecondary grade(s), as determined by the student's postsecondary institution, be forgiven or altered by the Board of Commissioners.
- b. Under no circumstances, shall an Exception be made regarding student data submitted to GSFC by a student's high school for purposes of determining the student's eligibility for a Zell Miller Grant.

3013.3. Guidelines for Approval of an Exception Request.

1. GSFC staff, in its summary, shall classify each request for an Exception based on the information presented. The classifications are for guidance only. Final approval or denial of an Exception request is subject to the Board's sole discretion. The classifications are based on the following guidelines:

A30Z Requests for an Exception may be allowed for a Zell Miller Grant recipient who completely withdrew from all courses during a term due to a Serious Injury, Psychiatric Disorder, Serious Illness, or death of an Immediate Family Member and/or step-parent, step-child or step-sibling, so that by forgiving the Attempted-Hours and/or Paid-Hours from which the student withdrew, the student's total length of eligibility for Zell Miller Grant funds is extended.

A31Z Requests for an Exception may be allowed for a Zell Miller Grant recipient who partially withdrew from a term due to a Serious Injury, Psychiatric Disorder, Serious Illness, or death of an Immediate Family Member and/or step-parent, step-child or step-sibling and the student's instructor(s) allowed the student to take an "incomplete" in the course(s) or the Eligible Postsecondary Institution made it compulsory for the student to withdraw from the course(s), so that by forgiving the Attempted-Hours and/or Paid-Hours from which the student withdrew, the student's total length of eligibility for Zell Miller Grant funds is extended.

A32Z Requests for an Exception may be allowed for a Zell Miller Grant recipient who completely withdrew from all courses during a term because the student was required to provide temporary care for an Immediate Family member and/or step-parent, step-child or step-sibling and can show that no one else was able to provide the care, so that by forgiving the Attempted-Hours and/or Paid-Hours from which the student withdrew, the student's total length of eligibility for Zell Miller Grant funds is extended.

A33Z Requests for an Exception may be allowed for a Zell Miller Grant recipient who partially withdrew from a term because the student was required to provide temporary care for an Immediate Family member and/or step-parent, step-child or step-sibling and can show that no one else was able to provide the care, and the student's instructor(s) allowed the student to take an "incomplete" in the course(s) or the Eligible Postsecondary Institution made it compulsory for the student to withdraw from the course(s), so that by forgiving the Attempted-Hours and/or Paid-Hours from which the student withdrew, the student's total length of eligibility for Zell Miller Grant funds is extended.

A34Z Requests for an Exception may be granted for a Zell Miller Grant recipient who withdrew from all courses during a term because the student was required to report for active duty military service outside the State of Georgia

or for deployment overseas, so that by forgiving the Paid-Hours from which the student withdrew, the student's total length of eligibility for a Zell Miller Grant is extended, if:

1. The student can show that his or her active service began during the term from which he or she withdrew; and
2. The student remains academically eligible to receive the Zell Miller Grant.

3013.4. Guidelines for Denial of an Exception Request

1. GSFC staff, in its summary, shall classify each request for an Exception based on the information presented. The classifications are for guidance only. Final approval or denial of an Exception request is subject to the Board's sole discretion. The classifications are based on the following guidelines:

D30Z If the student does not provide a request for an Exception in writing within forty-five calendar days of receiving notice of ineligibility for the Zell Miller Grant.

D31Z If the basis of the request is the diagnosis of or presence of a learning disability.

D32Z If the underlying cause for the student's request for an Exception is attributed to a criminal act committed by the student, that resulted in a conviction or a plea of guilty or nolo contendere.

D33Z If the basis of an Exception request is to have a student's postsecondary grade(s), as determined by the student's postsecondary institution, forgiven or altered by the Board of Commissioners.

D34Z If the basis of the request is a Serious Illness, Serious Injury or Psychiatric Disorder that was not sustained, diagnosed or treated within the six months immediately preceding the student's official date of withdrawal from the academic term for which the Exception is being requested.

D35Z If the basis of the request is the death of an Immediate Family Member and/or step-parent, step-child or step-sibling, and the death did not occur within the six months immediately preceding the student's official date of withdrawal from the academic term for which the Exception is being requested.

D36Z If the request seeks an Exception from the laws governing the Zell Miller Grant Program.

D37Z If the student did not receive Zell Miller Grant funds during the term of withdrawal.

D38Z If the basis of the request is a reason other than those specifically listed in *Section 3013.3*.

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3014. Compliance Reviews.

3014.1. Compliance Review Policy.

1. GSFC shall conduct Compliance Reviews of Eligible Postsecondary Institutions participating in the Zell Miller Grant Program in order to assess institutional administration of the program and compliance with the program's regulations. Such Compliance Reviews shall be conducted no less frequently than once every three years in accordance with GSFC's *Compliance Review Process and Procedures* document, which is available on gsfc.org, under *Information for School Compliance*.

3014.2. Compliance Review Process.

1. GSFC selects a sampling of the Eligible Postsecondary Institution's Zell Miller Grant recipients, for the Award Year under review, and the Eligible Postsecondary Institution's files and records for the sample are examined to assure compliance. Records which document and support a student's eligibility must be available for review at the Georgia campus of the Eligible Postsecondary Institution (refer to *Section 3012*).
 - a. GSFC will exclude Residency determinations, as they relate to *Section 3004.2.1.*, and SAP determinations made for Zell Miller Grant recipients, in the selected sample of any USG or TCSG institution that has submitted a signed certification to GSFC's Compliance Department by the President of the Eligible Postsecondary Institution that:
 - i. The Eligible Postsecondary Institution is in compliance with its policies and procedures in the determination and the administration of the financial aid award process relative to Residency requirements and SAP; and
 - ii. The Residency and SAP determinations have been fairly and consistently applied with respect to all students receiving the Zell Miller Grant award.
 - b. Such certification must be submitted annually to the Compliance Department of GSFC in the format required by GSFC.
 - i. Failure to provide such certification will result in a review of Residency determinations and SAP determinations made for Zell Miller Grant recipients in the selected sample.

3014.3. Institutional Repayment.

1. In the event it is determined that an Eligible Postsecondary Institution knowingly, or through error, certified an ineligible student to be eligible for Zell Miller Grant, the amount of such grant shall be refunded by the Eligible Postsecondary Institution to GSFC.
2. GSFC may suspend an Eligible Postsecondary Institution from receiving Zell Miller Grant payments if it fails to timely refund any monies deemed due based on the Compliance Review.
3. Any person who knowingly makes or furnishes any false statement or misrepresentation, or who accepts such statement or misrepresentation knowing it to be false, for the purpose of enabling an ineligible student to wrongfully obtain a Zell Miller Grant award shall be guilty of a misdemeanor.
4. If evidence not available at the time of awarding indicates that a student should not have received the Zell Miller Grant payment, then all future Zell Miller Grant awards for that student must be canceled.
 - a. The Eligible Postsecondary Institution is held harmless by GSFC if a student's file is adequately documented with available evidence and it is determined by GSFC that the Eligible Postsecondary Institution was not at fault.
 - b. Evidence is considered unavailable at the time of awarding if it was not available in the student's institutional files (i.e., financial aid, admissions, registrar, etc.).
5. The Eligible Postsecondary Institution must notify the student and GSFC of a refund due to GSFC.
6. The student will be ineligible to receive additional state aid from GSFC until the funds are repaid in full, in accordance with *Section 3010.2*.
7. If GSFC determines that the student's file is not adequately documented, then the Eligible Postsecondary Institution may be solely responsible for the repayment.

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