

# **HOPE Grant Program**

## **REGULATIONS – 300.**

**2020 - 2021 Award Year**



**Effective Date – July 1, 2020**

**GSEFC** | Georgia Student  
Finance Commission

2082 East Exchange Place  
Tucker, Georgia 30084

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### **302. Program Overview.**

The HOPE Grant Program provides grant assistance to residents of Georgia pursuing Certificates or Diplomas at Georgia's public postsecondary institutions. Unlike the HOPE Scholarship Program, students are not required to graduate from high school with a specific GPA. However, students are required to have a minimum postsecondary cumulative GPA of 2.00 at certain Checkpoints. The purpose of the HOPE Grant Program is to encourage Georgians to obtain technical training 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 HOPE Grant funds as determined by Georgia Student Finance Commission (GSFC).

The HOPE Grant Program was created beginning with the 1993-1994 Award Year (State Fiscal Year 1994). The program is fully funded by the Georgia Lottery for Education and administered by GSFC, in accordance with the Official Code of Georgia Annotated (O.C.G.A.) §20-3-519, et seq.

Beginning with the 2013-2014 Award Year, students Enrolled in a GSFC approved, designated program of study who are eligible for, and receiving, HOPE Grant funding may also be eligible for funding from the HOPE Career Grant.

Beginning with the 2017-2018 Award Year, students who are eligible in accordance with O.C.G.A. §20-3-519.5, may receive HOPE Grant funds up to 30 semester hours while enrolled at a TCSG Institution seeking an Associate Degree.

**NEW**

Beginning with the 2020-2021 Award Year, high school students who are eligible in accordance with O.C.G.A. §20-3-519.5, may qualify for the HOPE Grant and HOPE Career Grant after exhausting Dual Enrollment funding hours.

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### **303. Definitions. (Electronic Link)**

### **304. General Eligibility Requirements.**

#### **304.1. Citizenship.**

1. A student must be a United States Citizen, born or naturalized, or an Eligible Non-Citizen according to the Federal Title IV Regulations, as of the first day of classes of the school term for which the HOPE Grant is sought. Employees of the Free Trade Area of the Americas (FTAA), their spouses, and their dependents are not exempt from this requirement.

#### **304.2. 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 HOPE 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 his or her 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 HOPE Grant is sought.
3. Military Personnel, Military Spouses, or Dependent Children, shall be treated as a Georgia Resident for purposes of HOPE Grant Scholarship eligibility if:
  - a. The Military Personnel is stationed in Georgia on active duty, or lists Georgia as his or her home of record; or
  - b. A USG or TCSG institution grants a Military Personnel Out-of-State Tuition Waiver or Exemption.
4. No other Out-of-State Tuition Waiver, other than for Military Personnel and their dependents, applies to students in the HOPE Grant Scholarship Program.
5. Members of the Georgia National Guard shall be treated as a Georgia resident for purposes of HOPE Grant eligibility.
6. Members of a reserve component of the United States Armed Forces assigned to a reserve unit located in Georgia shall be treated as a Georgia resident for purposes of HOPE Grant eligibility.
7. A student attending a USG or TCSG institution as a Dual Enrolled or Joint Enrolled student must meet the Georgia Residency requirements of BOR or

TCSG for 12 consecutive months immediately prior to the first day of classes of the school term for which the HOPE Grant is sought.

8. Full-time employees of the 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 HOPE Scholarship Program, regardless of the length of time they have resided in Georgia.
9. A student who was correctly determined to meet the Georgia Residency requirements for purposes of HOPE Grant eligibility and began receiving HOPE Grant payment, will continue to meet the Georgia Residency requirements for purposes of HOPE 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 304.2.1.*) before regaining HOPE eligibility.
10. 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 HOPE eligibility.

### **304.3. 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 HOPE 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. For the school term in which a student reaches the 63 semester or 95 quarter Paid-Hours or 127 semester or 190 quarter 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 *Section 305.5 and 305.7*). A student who will reach the HOPE Grant Paid-Hours Limit or the Combined Paid-Hours Limit with a fraction of an hour can be paid for a full hour.

#### **304.4. Satisfactory Academic Progress.**

1. A student must maintain Satisfactory Academic Progress (SAP), as defined and certified by his or her Eligible Postsecondary Institution.
  - a. For state aid programs, Eligible Postsecondary Institutions may establish an appeal process for students with dual-enrollment credit hours that fail to meet the quantitative standard (pace) for degree completion, generally identified as 150 percent of the published length of the program.
  - b. The appeal should consider attempted hours toward the program in which the student is enrolled, satisfactory qualitative (grade-based) standards, and the student's satisfactory pace in pursuit of completing the program with and without the dual enrollment credits. Eligible Postsecondary Institutions have sole discretion and responsibility for evaluation and approval of any such appeals.

#### **304.5. Selective Service Registration.**

1. A student must be in compliance with the United States Selective Service System requirements, where applicable, prior to the HOPE Grant application deadline (refer to *Section 307.2.*) in order to be eligible for HOPE Grant payment for such school term.

#### **304.6. 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 GSFC 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; or
  - b. Having the loan repurchased by the original lender and the default status reversed; or
  - c. Consolidating the loan out of a default status; or
  - 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 GSFC.
4. A student's default status on a State of Georgia loan can be resolved in one of two ways:
  - a. Paying off the defaulted loan in full; or
  - b. Complete an acceptable rehabilitation plan by making voluntary on time payments over a specified period agreed upon with GSFA.
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, grant or loan funds beginning with the school term in which repayment was made in full but not retroactively for previous school terms.

#### **304.7. Georgia Drug-Free Act.**

1. A student convicted of committing certain felony offenses involving marijuana, controlled substances, or dangerous drugs, may be ineligible for HOPE 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.

#### **304.8. Incarceration.**

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

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### **305. Program Specific Eligibility Requirements.**

#### **305.1. 30 Hour Checkpoint.**

1. A HOPE Grant recipient must have earned a minimum 2.00 Postsecondary Cumulative Grade Point Average (excluding Learning Support coursework) at the end of the school term in which he or she has accumulated at least 30 semester or 45 quarter Paid-Hours in order to be eligible for HOPE Grant payment for the next 30 semester or 45 quarter hours.
2. A student who lost his or her HOPE Grant eligibility at the 30 semester or 45 quarter hour Checkpoint, for failure to earn at least a 2.00 Postsecondary Cumulative GPA, can regain HOPE Grant eligibility if his or her Postsecondary Cumulative GPA is at least 2.00 at the end of the school term he or she has accumulated at least 60 semester or 90 quarter hours and such student meets all other HOPE Grant requirements.
3. For the student who lost HOPE Grant eligibility at the 30 Hour Checkpoint, the 60 hour Checkpoint will include all coursework that would have normally been paid for by HOPE Grant (excluding Learning Support coursework) had the student met all HOPE Grant requirements.
4. Students that regain eligibility at the 60 hour Checkpoint are eligible for the full number of HOPE Grant Paid-Hours maximum of 63 semester or 95 quarter hours of payment.

#### **305.2. 60 Hour Checkpoint.**

1. A HOPE Grant recipient who has accumulated at least 60 semester or 90 quarter Paid-Hours, but less than 63 semester or 95 quarter Paid-Hours, must have earned a minimum 2.00 Postsecondary Cumulative GPA (excluding Learning Support coursework) at the end of the school term in which he or she has accumulated at least 60 semester or 90 quarter Paid-Hours in order to be eligible for HOPE Grant payment for the next 3 semester or 5 quarter hours.
2. A student, who lost his or her HOPE Grant eligibility at the 60 semester or 90 quarter hour Checkpoint, for failure to earn at least a 2.00 Postsecondary Cumulative GPA, cannot regain HOPE Grant eligibility.

#### **305.3. Students Enrolled Fall term 2013 or later who previously lost HOPE Grant eligibility at a Checkpoint.**

1. A student who previously lost HOPE Grant eligibility at a 30 Hour Checkpoint or a 60 Hour Checkpoint due to a Postsecondary Cumulative GPA below 3.00, can regain eligibility for HOPE Grant his or her first term of enrollment after Summer term 2013 if he or she had a Postsecondary Cumulative GPA of 2.00 or higher at the end of his or her last term of enrollment prior to Fall term 2013. Such student must meet all other eligibility requirements.

### **305.5. Paid-Hours Limit.**

A student may receive HOPE Grant payment for coursework required by an Eligible Postsecondary Institution for a program of study leading to a Certificate or Diploma, including Learning Support coursework.

1. Recipients are limited by the number of credit hours for which they can receive HOPE Grant payment, referred to in these regulations as the Paid-Hours limit.
  - a. The Paid-Hours limit is 63 semester or 95 quarter hours of HOPE Grant payment.
  - b. 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.

### **305.6. Paid-Hours Calculation.**

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1. Certificate or Diploma credit hours attempted prior to Summer term 2003 are not counted as Paid-Hours, regardless of HOPE Grant payment.
2. Certificate or Diploma credit hours attempted beginning with Summer term 2003, for which the student received HOPE Grant payment, must be counted as Paid-Hours (excluding Learning Support coursework), unless the student was a high school Joint Enrollment or Dual Credit Enrollment student during such term as described below.
3. Certificate or Diploma credit hours for which a student received HOPE Grant payment for Summer term 2003, Fall term 2003, Winter term 2004, Spring term 2004, or Summer term 2004 are not counted as Paid-Hours, if the student was also Enrolled in high school as a Joint Enrollment or Dual Credit Enrollment student for such term.
4. Certificate or Diploma credit hours for which a Joint Enrollment or Dual Credit Enrollment high school student received HOPE Grant payment for Fall term 2004 through Spring term 2008 must be counted as Paid-Hours.
5. Certificate or Diploma credit hours for which a Dual Credit Enrollment high school student received HOPE Grant payment for Summer term 2008, and all terms following Summer term 2008, through Spring term 2020, are not counted as Paid-Hours.
6. Certificate or Diploma credit hours for which a high school student received HOPE Grant payment for Summer term 2020 and future terms are counted as Paid-Hours.
7. Through Fall term 2008 (FY09), a maximum of 12 semester or quarter hours per term is counted toward the Paid-Hours limit, even if actual enrollment is greater

than 12 hours.

8. Beginning with Winter term 2009, a maximum of 15 semester or quarter hours per term will be counted toward the Paid-Hours limit, even if actual enrollment is greater than 15 hours.

### **305.7. Combined-Paid-Hours Limit.**

1. A student is ineligible to receive HOPE Grant payment once he or she reaches the Combined Paid-Hours limit of 127 semester or 190 quarter hours from any combination of HOPE or Zell Miller Scholarship Paid-Hours, plus HOPE or Zell Miller Grant Paid-Hours, plus Accel Program Paid-Hours (through FY 2011).

### **305.8. Attainment of a Certificate, Diploma, or Degree.**

1. Regardless of the number of HOPE Grant Paid-Hours or Combined-Paid Hours a student has accumulated, such student is ineligible for HOPE 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 HOPE Grant are not limited by the number of Certificate or Diploma programs of study for which they can receive HOPE Grant payment, provided the Paid-Hours and/or the Combined Paid-Hours limit has not been reached.

**306.1. HOPE Grant Bridge Eligibility.**

1. Effective Summer term 2020 (FY2021), a high school/home study student, who has reached the Dual Enrollment Funding Cap of 30 semester or 45 quarter Paid Hours, is eligible for HOPE Grant as a bridge funding source while in high school. The student must meet all other HOPE Grant eligibility requirements as set forth in these regulations.
  - a. The student, designated, by his or her public high school as pursuing High School Graduation Option B (SB2) may enroll or continue enrollment in a technical Certificate or Diploma program of their pathway at a TCSG Eligible Postsecondary Institution. Coursework must be required for the specific technical Certificate or Diploma program of enrollment.
  - b. All other students may enroll or continue enrollment at an Eligible Postsecondary Institution in a specific technical Certificate or Diploma approved HOPE Career Grant program. Coursework must be required for the specific HOPE Career Grant program of enrollment.
2. A student is ineligible to receive HOPE Grant Bridge funding for courses not on the approved *Dual Enrollment Course Directory*.
  - a. A student is ineligible to receive HOPE Grant Bridge funding for Learning Support or Transient coursework.
3. The credit hours for which a student receives HOPE Grant Bridge funds must be included in:
  - a. The Paid-Hours limit of 63 semester hours of HOPE Grant payment; and
  - b. The Combined Paid-Hours limit of 127 semester hours from any combination of HOPE or Zell Miller Scholarship Paid-Hours and HOPE or Zell Miller Grant Paid-Hours.

**306.2. HOPE Grant Bridge Application Process.**

1. The high school/home study student must complete the online Dual Enrollment funding Application each award year for which HOPE Grant funds are requested.
  - a. As part of the funding application process, the student and student's parent/guardian, must complete the student participation agreement (SPA) acknowledging the responsibilities assumed by the student as a recipient of HOPE Grant and HOPE Career Grant.
  - b. A new application is required should the student transfer high schools during the academic year.
2. The participating Eligible High School or Home Study program official must process the application for each specific term of enrollment with the approved

secondary high school courses from the Dual Enrollment Course Directory.

3. The participating Eligible Postsecondary Institution must process the application for each specific term of enrollment with the approved postsecondary courses equivalent to the secondary course(s) approved and entered by the high school.
4. The Dual Enrollment funding Application is effective only for the postsecondary term(s) for which it was completed by the participating Eligible High School or Home Study program and participating Eligible Postsecondary Institution.

### **306.3. HOPE Grant Bridge Application Deadline Date.**

1. The annual Dual Enrollment funding Application must be completed by the student no later than the last day of the term for which funding is sought or the student's withdrawal date, whichever occurs first, in order to be paid for a specific school term.
  - a. The last day of the school term is the last day of classes or exams for the Eligible Postsecondary Institution, whichever occurs later.
2. Participating Eligible High Schools, Home Study programs and Eligible Postsecondary Institutions must complete the application for each term of enrollment no later than the last day of the specific term for which funding is sought or the student's withdrawal date, whichever occurs first.
3. Participating Eligible High Schools, Home Study programs and Eligible Postsecondary Institutions may set earlier institutional deadline dates for each school term to meet institutional requirements and program regulations.

### **306.4. Eligible Postsecondary Institution Responsibility to the HOPE Grant Bridge Student.**

1. The Eligible Postsecondary Institution must provide the students and their parent/guardian with HOPE Grant advisement information prior to enrollment or registration including the credit hours that will be applied to the Grant Paid-Hour Limit and Combined Paid Hours Limit and HOPE Grant program requirements.
2. The Eligible Postsecondary Institution must inform each HOPE Grant Bridge student of any educational costs not covered by HOPE Grant funds.
  - a. The Eligible Postsecondary Institution is permitted to charge the student for educational costs not covered by HOPE Grant and Career Grant (if applicable) funding.

### **307. Eligible and Ineligible Coursework.**

#### **307.1. Learning Support Coursework.**

1. A student seeking a Certificate or Diploma who Enrolls in Learning Support coursework, is eligible for HOPE Grant payment for such coursework, if he or she meets all other HOPE 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 GPA calculation at the Checkpoints.

#### **307.2. Transient Coursework.**

1. A Transient student is eligible to receive HOPE Grant payment if all other eligibility requirements are met. Both the Home Institution and the Host Institution must be TCSG or USG Eligible Postsecondary Institutions.
2. The Host Institution awards HOPE 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 HOPE 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 HOPE Grant payment for Transient students to GSFC in the same manner it reports HOPE 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 HOPE 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.

#### **307.3. Distance Learning Coursework.**

1. A student participating in Distance Learning coursework is eligible to receive HOPE 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.
2. A student taking coursework through more than one Eligible Postsecondary Institution during the same term is eligible to receive HOPE Grant payment from each Eligible Postsecondary Institution, provided the total Paid-Hours does not exceed 15 for the term. The payment process for Distance Learning students is the same as for Transient students (refer to *Section 307.2.*).

#### **307.4. Degree Coursework.**

1. A student is eligible to receive HOPE Grant payment for Degree coursework used to fulfill general elective requirements for a Certificate or Diploma program of study.

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#### **307.5. Joint Enrollment Coursework.**

1. A high school/ home study student ineligible to receive Dual Enrollment funding or wishes to enroll in courses not on the Dual Enrollment Course Directory and meeting all other HOPE Grant requirements is eligible for HOPE Grant payment for postsecondary Certificate or Diploma coursework as a Joint Enrollment student at an Eligible Postsecondary Institution.
  - a. A Joint Enrolled student must complete the GSFAPPS as referenced in the *Student Application Requirements* section of these regulations. The student must meet all other HOPE Grant eligibility requirements as set forth in these regulations.

#### **307.6. Coursework Exemptions.**

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

#### **307.7. Study Away Coursework.**

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

#### **307.8. Continuing Education and Audit Coursework.**

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

#### **307.9. Total Withdrawal from Coursework.**

1. A student is ineligible for HOPE 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 "W" or any other code or identification for such a withdrawal (refer to *Section 313.1.1.a.*).



**308. High School Graduation (Option B) Beyond High School.**

1. A student who received a high school diploma through completion of O.C.G.A. §20-2-149.2 (SB2), may qualify to receive HOPE Grant funds, up to 30 semester hours, while enrolled at a TCSG Institution in a Matriculated status in a program leading to an Associate Degree.
2. The student must have received a high school diploma, and, through Dual Credit Enrollment coursework, simultaneously received:
  - a. A technical college Diploma and all postsecondary academic education and technical education and training prerequisites for any state, national, or industry occupational certifications or licenses required to work in the field, as identified by TCSG; or
  - b. Two (2) technical college Certificates of credit in one specific career pathway and all postsecondary academic education and technical education and training prerequisites for any state, national, or industrial occupational certifications or licenses required to work in the field as identified by TCSG.
3. The eligible student must Enroll in an Associate Degree Program at a TCSG Institution.
  - a. The student must meet all other eligibility requirements as set forth in section 304, excluding 304.3, of these regulations.
4. The student is eligible for HOPE Grant funds only if such coursework is included in his or her Associate Degree program of study.
  - a. The student is eligible to receive HOPE Grant funds while Enrolled in Learning Support or Transient coursework while Enrolled in an Associate Degree Program.
  - b. The student is ineligible to receive HOPE Career Grant funds as referenced in section 308.5, of these regulations, while enrolled in an Associate Degree Program.
  - c. The student is ineligible to receive HOPE Grant funds for coursework that was exempted or given credit by examination, testing, training, or experience.
  - d. The student is ineligible to receive HOPE Grant funds for coursework classified by his or her Eligible Postsecondary Institution as Continuing Education, Audit or Study Away coursework.
5. Eligibility to receive HOPE Grant funds concludes upon the student reaching 30 semester hours towards the Enrolled Associate Degree or reaching the HOPE Grant Paid Hours limit whichever occurs first.
  - a. The student who will reach or exceed 30 semester hours, during a term of

Enrollment, may receive HOPE Grant funds for the total hours Enrolled.

- b. After the student reaches 30 semester hours towards the Associate Degree, the student must meet all HOPE Scholarship eligibility requirements at the appropriate checkpoint based on the student's combined Paid-Hours or Attempted Hours in order to receive the HOPE Scholarship.
  - c. A student who changes to a Certificate or Diploma program of study, and meets all HOPE Grant eligibility requirements, may continue to receive HOPE Grant funds up to the 63 semester HOPE Grant Paid-Hours Limit.
  - d. The hours for which the student received HOPE Grant payment are included in the Combined Paid-Hours limit of 127 semester or 190 quarter hours from any combination of HOPE or Zell Miller Scholarship Paid-Hours, plus HOPE or Zell Miller Grant Paid-Hours, plus Accel Program Paid-Hours (through FY11).
6. A student who graduates from high school as a HOPE Scholar, is ineligible to receive payment of HOPE Grant funds while Enrolled in an Associate Degree Program.
7. Regardless of the number of HOPE Grant Paid-Hours or Combined-Paid Hours a student has accumulated, such student is ineligible for HOPE 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.

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## **309. Student Application Requirements.**

### **309.1. Application Forms.**

1. In order to be considered for a HOPE Grant, a student must complete one of the following application forms:
  - a. A GSFAPPS; or
  - b. A current year FAFSA.
    - i. A student who applies for HOPE 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 HOPE 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 120 consecutive months following the application's approval date.
  - a. The student's application will remain valid during the 120 month period, regardless of whether or not an Eligible Postsecondary Institution submits a HOPE invoice to GSFC on behalf of the student during the 120 month period. Upon conclusion of the 120 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 HOPE invoice to be processed for the student by GSFC.
  - c. If during the original application's 120 month period, the student submits to GSFC a new application for HOPE, or an application for a program other than HOPE, both applications will remain valid for 120 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.

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### **309.2. 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.

**309.3. Application for Subsequent Years.**

1. It is not mandatory, except as provided for in *Section 311.1.1.b.i.*, for a student to complete a new application for the HOPE Grant for each Award Year. However, Eligible Postsecondary Institutions may have separate application requirements.

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## **310. Award Requirements.**

### **310.1. Tuition Award.**

1. The award amount is equal to the HOPE Award Rate, multiplied by the number of credit hours (up to a maximum of 15 credit hours) in which a student is enrolled.
  - a. Any approved changes to the state scholarship or grant award amounts become effective beginning with the Fall term.
  - b. No award is to exceed the approved HOPE Grant per hour award amount.
  - c. The HOPE Grant Award shall not exceed the actual Tuition rate.
2. A student who is enrolled at two or more Eligible Postsecondary Institutions during a single term, the student can receive payment only for hours up to the term limit of 15.
3. A student's HOPE 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.
4. A student receiving financial aid from a source other than the HOPE Grant and such aid is required by the donor to be applied to the student's Tuition charges, may receive the HOPE Grant award and the other aid. The combined tuition award aid cannot exceed the standard undergraduate Tuition rate.

### **310.2. 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.

### **310.3. Awards Per School Term.**

1. The HOPE 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 HOPE Grant funds for a maximum of three semesters or four quarters per Award Year.

### 310.4. Student Notification of Award.

1. An Eligible Postsecondary Institution must notify each HOPE Grant recipient of the amount of HOPE funds he or she is awarded for the Award Year and identify such funds as a HOPE Grant award.
2. A student who wishes to decline a HOPE 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 HOPE Grant award becomes final and irrevocable on the last day of the term for which the HOPE Grant award was made.

### 310.5. HOPE Career Grant Award.

1. All eligibility requirements for the HOPE Grant apply to the HOPE Career Grant.
1. A student who is receiving a HOPE Grant award and is Enrolled in an approved, designated HOPE Career Grant Diploma or Certificate program of study, is eligible for the HOPE Career Grant award for that term. The approved, designated HOPE Career Grant programs of study list is updated and published by July 1 each year.
2. A student's HOPE Career Grant award is a fixed amount per term based upon the student's program of study and number of hours of Enrollment. A list of approved programs of study 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     |
3. A student enrolled in commercial truck driving is eligible to receive a HOPE Career Grant award based on the number of hours of enrollment, not to exceed \$1000.00 per truck driving program.

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| Enrolled Hours | Award Amount |
|----------------|--------------|
| 9+ hours       | \$1000.00    |
| 6-8 hours      | \$ 667.00    |
| 1-5 hours      | \$ 333.00    |
4. A student who meets all eligibility requirements of the HOPE Grant and HOPE Career Grant is also eligible to receive full payment from all programs for the same school term up to the student's Cost of Attendance.

## **311. College HOPE Eligibility Calculation Service (CHECS) Reporting Requirements.**

### **311.1. CHECS.**

1. Effective Fall term 2018 (FY2019), all Eligible Postsecondary Institutions must comply with the College HOPE Eligibility Calculation Service (CHECS) requirements, including timely submission of student academic transcript data for HOPE and Zell Miller Scholarship and Grant GPA calculation, checkpoint and hours.
2. All Eligible Postsecondary Institutions must utilize the College HOPE Eligibility Calculation Service (CHECS) eligibility determinations beginning Winter quarter and Spring semester 2019 (FY2019) in regard to student award determinations and disbursements.
  - a. CHECS calculation records are subject to change and may not have the complete academic transcript data. Calculations are dependent upon Eligible Postsecondary Institutions submitting accurate and complete transcript data.
  - b. Eligible Postsecondary Institutions are required to report cases of incomplete or conflicting academic information and should not award based on data identified as conflicting or incomplete.
3. Eligible Postsecondary Institutions are required to obtain academic transcripts from institutions a student has attended previously with degree level coursework or coursework accepted for degree credit.
4. The Eligible Postsecondary Institution must submit, for the ending term, transcript data records that result in CHECS calculations prior to the upcoming term invoices being paid.
  - a. Invoices for any term will be held in a pending status until transcript data records for the preceding term are submitted and CHECS calculations are processed.
  - b. An invoice submitted and paid for a student that is later found to be academically ineligible due to updated transcript data records submitted in CHECS will be classified as academically ineligible. The disbursed funds for an academically ineligible invoice must be returned to GSFC or the invoice must be canceled.

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## **312. Invoicing Requirements.**

### **312.1. Submission of Invoices.**

1. 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.
2. Eligible Postsecondary Institutions may submit HOPE Grant invoices to GSFC as early as 15 calendar days prior to the first day of classes for the school term.
3. Invoices for any term will be held in a pending status until transcript data records for the preceding term are submitted and CHECS calculations are processed. The CHECS calculation is required to determine continued academic eligibility.
  - a. Effective Winter quarter and Spring semester 2019 (FY2019), the majority of transcript data records for Fall term 2018 (FY 2019) must be reported and CHECS calculations performed prior to Winter quarter or Spring semester 2019 (FY2019) invoices being paid.
4. Prior to the beginning of any award year and no later than a 30 of each year, GSFC shall establish and publish the Invoicing Deadline Dates for each school term for the upcoming Award Year.
5. Invoices submitted after the Invoicing Deadline Date may be honored or paid if the failure to meet the date was because of:
  - 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.
6. 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.



### **312.2. Payment of Invoices.**

1. HOPE 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 HOPE Grant invoice.

### **312.3. Tuition Payments.**

1. Upon receipt of HOPE 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, toward tuition.

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### **313. Student Refunds.**

#### **313.1. 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 HOPE Grant fund.
  - a. A student is ineligible for the HOPE 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 HOPE award for that term, through SURFER.
2. To determine the refund due to the HOPE 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 HOPE Grant award for Tuition.
3. The Eligible Postsecondary Institution must determine the amount of the refund due back to the HOPE Grant Program. The amount of the HOPE award not determined to be owed back to the HOPE 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 HOPE funds, the Eligible Postsecondary Institution should return the funds determined to be owed to the HOPE 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 HOPE 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 HOPE 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.

### **313.2. 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 60 days from the date of the notification to make the loan current or to put in place a satisfactory payment plan.

### **313.3. 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 HOPE Grant Program who is called to emergency military duty during a school term that is already in progress should not have his or her HOPE 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 HOPE Grant award to the HOPE 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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## **314. Reconciliation Requirements.**

### **314.1. Term Reconciliation.**

1. Eligible Postsecondary Institutions must conduct a Term Reconciliation by the end of each term. 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, the number of invoices paid and amount disbursed by GSFC to the Eligible Postsecondary Institution, according to SURFER, is accurate on that date.
  - a. GSFC will not issue any state grant funds for the following term until the Term Reconciliation is complete.
    - i. Invoices in an academically ineligible status must be addressed and fully resolved before term reconciliation can be completed.
  - b. Funds are not returned to GSFC as part of the Term Reconciliation process.

### **314.2. Fiscal Year End Reconciliation.**

1. Eligible Postsecondary Institution must conduct the Fiscal Year End Reconciliation consisting of an official acknowledgement by an authorized school official, through SURFER verifying, student by student, the accuracy of each invoice submitted by the Eligible Postsecondary Institution with respect to the student's Enrolled-Hours, Paid-Hours, Learning Support, academic eligibility status as determined by the CHECS calculations, and program of study information, when applicable to the program.
  - a. Any pending, rejected, or academically ineligible invoices must be fully resolved prior to Fiscal Year End Reconciliation.
  - b. Reconciliation certification forms must be completed and submitted electronically, through SURFER by July 15, immediately following the completion of the Fiscal Year for each State Program.
  - c. 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.
  - d. GSFC will not issue any state scholarship or grant funds for the Fall term until the previous Fiscal Year End Reconciliation process is complete.
  - e. 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).

## **315. Records Retention Requirements.**

### **315.1. Length of Retention.**

1. An Eligible Postsecondary Institution shall maintain accurate records, books, documents and other evidence concerning the HOPE 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.

### **315.2. 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 HOPE funds (refer to *Section 315*). 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 HOPE funds to the student.

### **315.3. 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 313.1*. 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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### **316. Administrative Reviews and Exceptions.**

1. As provided by this section, a student may request an Administrative Review of the application of a HOPE 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 HOPE rule, policy or regulation if there are exceptional circumstances warranting the request.

#### **316.1. Administrative Reviews.**

1. The HOPE Grant regulations are applied to each student considered for HOPE Grant funds by appropriate officials of Eligible Postsecondary Institutions and by the administrative staff of GSFC.
2. If a student believes a HOPE 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 HOPE 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 45 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.

#### **316.2. Requesting an Exception.**

1. The Board of Commissioners of GSFC may grant a HOPE Grant award to a student who fails to meet the regulatory requirements for HOPE Grant funds in very limited and exceptional cases, as provided by *Section 314.3*. 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 HOPE Grant eligibility.
  - a. No student has the right to a HOPE Grant award under any of the circumstances described in *Section 316.4*.
  - b. No student has the right to appeal the denial of an Exception by the Board of Commissioners.

- c. Each individual HOPE Grant recipient is limited to one Exception, as granted by the Board of Commissioners, and such Exception shall only apply to one school term, during which HOPE Grant funds were received.
  - 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 GPA or waive the requirements that a student attain or maintain a specific Postsecondary Cumulative GPA as otherwise required herein or by law.
2. Exceptions may be granted for extenuating circumstances such as:
- a. Serious Illness, Psychiatric Disorder, or Serious Injury experienced by the student; or
  - b. Death of an Immediate Family Member and/or step-parent, step-child or step-sibling; or
  - c. Immediate Family Member and/or step-parent, step-child or step-sibling experienced a Serious Illness, Psychiatric Disorder, or Serious Injury and the student had to provide temporary care of the family member.
  - d. In cases where Serious Illness, Psychiatric Disorder or Serious Injury is the basis for an Exception request, the Serious Illness must have been treated, Psychiatric Disorder must have been diagnosed, or Serious Injury must have been sustained within the six months immediately preceding the student's official date of withdrawal from the academic term for which the Exception is being requested.
  - e. In cases where death of a family member, as listed above, is the basis for an Exception request, the family member's death 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 45 calendar days of receiving notice of denial of his or her HOPE 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

| <b>Board Meeting</b>     | <b>Submission Deadline</b> |
|--------------------------|----------------------------|
| First Friday in August   | First Friday in July       |
| First Friday in November | First Friday in October    |
| First Friday in February | First Friday in January    |
| First Friday in May      | 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 316.3*.

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 316.3*, 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 314.4*. 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 316.2.4.a.* 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 HOPE Grant.

### **316.3. 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:

**A30** Requests for an Exception may be granted for a HOPE Grant recipient who completely withdrew from all courses during a term due to an extenuating circumstance listed in Section 316.2.2. The Attempted-Hours and/or Paid-Hours from which the student withdrew, may be forgiven so that the student's total length of eligibility for HOPE Grant is extended.

**A31** Requests for an Exception may be granted for a HOPE Grant recipient who partially withdrew from a term due to an extenuating circumstance listed in Section 316.2.2 and the Eligible Postsecondary Institution made it compulsory for the student to withdraw from the a course(s). The Attempted-Hours and/or Paid- Hours from which the student withdrew, may be forgiven so that the student's total length of eligibility for HOPE Grant is extended.

**A32** Requests for an Exception may be granted for a HOPE 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 HOPE 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 HOPE Grant.

### **316.4. 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:

**D30** If the student does not provide a request for an Exception in writing within 45 calendar days of receiving notice of ineligibility for the HOPE Grant.

**D31** If the basis of the request is the diagnosis of or presence of a learning disability.

**D32** 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.

- D33** 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.
- D34** 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.
- D35** 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.
- D36** If the request seeks an Exception from the laws governing the HOPE Grant Program.
- D37** If the student did not receive HOPE Grant funds during the term of withdrawal.
- D38** If the basis of the request is a reason other than those specifically listed in *Section 316.3*.

## **317. Compliance Reviews.**

### **317.1. Compliance Review Policy.**

1. GSFC shall conduct Compliance Reviews of Eligible Postsecondary Institutions participating in the HOPE Grant Program in order to assess institutional administration of the program and compliance with the program's regulations. Such Compliance Review 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 at [gsfc.georgia.gov](http://gsfc.georgia.gov), under *Information for School Compliance*.

### **317.2. Compliance Review Process.**

1. GSFC selects a sampling of the Eligible Postsecondary Institution's HOPE 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 315*).
  - a. GSFC will exclude Residency determinations as they relate to *Section 304.2.1.*, and SAP determinations for HOPE 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 HOPE 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 HOPE Grant recipients in the selected sample.

### **317.3. 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 HOPE 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 HOPE 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 HOPE 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 HOPE Grant payment, then all future HOPE 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 313.2*.
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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