

HOPE Grant Program

REGULATIONS – 300.

2012 - 2013 Award Year



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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 grade point average. However, students are required to have a minimum postsecondary cumulative grade point average of 3.00 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 or University System of Georgia institution may receive HOPE Grant funds as determined by the Commission.

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 the Georgia Student Finance Commission, in accordance with the Official Code of Georgia Annotated § 20-3-519 et. seq., in its entirety.

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303. Definitions.

“Academic Year” means a period of time, usually nine months, during which a Full-Time student is expected to complete the equivalent of two semesters or three quarters of postsecondary coursework.

“Accel Program” or “Accel” means a student financial aid program administered by the Commission to assist students who are attending an Eligible High School and simultaneously taking Degree coursework from an Eligible Postsecondary Institution in Georgia as a Dual Credit Enrollment student.

“Administrative Review” means a review by Commission staff of an eligibility determination made by an Eligible Postsecondary Institution or by the Commission to determine if a HOPE Grant program rule, policy, or regulation was applied correctly in a student’s specific case.

“Associate Degree” means a two-year Degree conferred on students by a postsecondary institution upon completion of a unified Undergraduate program of study in an academic discipline or major. Associate Degrees typically require a student to earn at least 60 semester or 90 quarter credit hours.

“Audit” means the act of a student attending a course for personal development, with the understanding and agreement of his or her postsecondary institution that no credit hours or grade will be earned for the course.

“Award Year” means four consecutive quarters or three consecutive semesters, beginning with the summer term and ending with the spring term, or the Non-Standard Term equivalent, or the Non-Term equivalent.

“Award Year Reconciliation” means the final student-by-student reconciliation for an Award-Year conducted by Eligible Postsecondary Institutions with the Commission.

“Baccalaureate Degree” means a four-year Degree conferred on students by a postsecondary institution upon completion of a unified Undergraduate program of study in an academic discipline or major. Baccalaureate (Bachelor’s) Degrees typically require a student to earn at least 120 semester or 180 quarter credit hours.

“Board” means Board of Commissioners, the governing body of the Georgia Student Finance Commission.

“Board of Regents” means the governing body of the University System of Georgia.

“Certificate” means an academic credential granted by a postsecondary institution indicating satisfactory completion of training by a student in an organized technical Undergraduate program of study which is not a Diploma program of study, an Associate Degree, Baccalaureate Degree, Graduate Degree or Continuing Education.

A Certificate program of study typically requires fewer credit hours than a Diploma program of study.

“Checkpoint” means the end of the term in which a student’s Postsecondary Cumulative Grade Point Average must be calculated to determine the student’s eligibility for the HOPE Grant.

“Combined Paid-Hours” means the total number of Paid-Hours a student has accumulated as a result of payment from any combination of the HOPE Scholarship Program, plus HOPE Grant Program, plus the Zell Miller Program plus, through FY2011, the Accel Program.

“Commission” means the Georgia Student Finance Commission, the agency responsible for administering certain postsecondary educational student financial aid programs offered by the State of Georgia, and other programs for which funds may be appropriated or assigned to it by the state legislature, or from other sources, from time to time.

“Compliance Review” means an assessment by the Commission of an Eligible Postsecondary Institution by evaluating the Eligible Postsecondary Institution’s compliance with the regulations governing programs administered by the Commission, in accordance with the Commission’s *Compliance Review Process and Procedures* document.

“Continuing Education” means postsecondary courses designed for personal development, or an extension of the traditional on-campus learning process, and does not lead to credit toward a postsecondary Certificate, Diploma, or Degree.

“Cost of Attendance” means the estimated expenses, both direct and indirect, which may be incurred by a student and the student’s family to finance the cost of receiving a postsecondary education. As determined by the student’s postsecondary institution and as defined by Federal Title IV Regulations, these expenses may include Tuition, fees, room, meals, books, supplies, transportation, and personal expenses.

“Degree” means an Associate Degree or Baccalaureate Degree conferred on students by a postsecondary institution upon completion of a unified Undergraduate program of study in an academic discipline or major.

“Dependent Child” means an individual under the age of 24 who receives financial support from a Parent whose most recent federal or state income tax return lists the individual as a dependent.

“Diploma” means an academic credential granted by a postsecondary institution indicating satisfactory completion of training by a student in an organized technical Undergraduate program of study which is not a Certificate program of study, an

Associate Degree, Baccalaureate Degree, or Graduate Degree. A Diploma program of study typically requires more credit hours than a Certificate program of study.

“Disbursed” means the Eligible Postsecondary Institution has credited the student’s account, issued or made available to the student a check, or directly deposited the funds in the student’s personal account

“Distance Learning” means an educational process that is characterized by the separation, in time or place, between instructor and student. It may include courses offered principally through the use of television, audio, video cassettes/discs, correspondence, audio/computer conferencing, and transmission by computer, Internet, open broadcast, closed circuit, cable, microwave, or satellite.

“Dual Credit Enrollment” means an arrangement whereby a high school student is Enrolled in postsecondary coursework with a postsecondary institution and earning postsecondary credit hours while continuing to pursue a high school diploma, and the student’s high school has agreed to accept the postsecondary coursework toward the student’s high school graduation requirements.

“Eligible High School” means any private or public secondary educational institution located within the state of Georgia authorized to grant high school diplomas and is accredited by the Southern Association of Colleges and Schools, the Georgia Accrediting Commission, the Georgia Association of Christian Schools, the Association of Christian Schools International, the Georgia Private School Accreditation Council, or the Southern Association of Independent Schools. If the institution is not located in the State of Georgia, then it must be currently accredited by the Southern Association of Colleges and Schools or one of the following regional or state entities: New England Association of Schools and Colleges, Middle States Association of Colleges and Schools, North Central Association of Colleges and Schools, Northwest Accreditation Commission, Western Association of Schools and Colleges, the Alabama Independent School Association, the Southern Association of Independent Schools. Any high school not meeting the definition of an “Eligible High School” is considered to be an ineligible high school.

“Eligible Non-Citizen” means a person who, in accordance with the Federal Title IV Regulations, is a United States permanent resident with a Permanent Resident Card (I-551); or a conditional permanent resident (I-551C); or the holder of an Arrival-Departure Record (I-94) from the Department of Homeland Security showing any one of the following designations: “Refugee”, “Asylum Granted”, “Parolee” (I-94 confirms paroled for a minimum of one year and status has not expired); or “Cuban-Haitian Entrant”. Victims of human trafficking, in accordance with the Victims of Trafficking and Violence Protection Act, may also be considered Eligible Non-Citizens. Persons with an F1 or F2 student visa, a J1 or J2 exchange visitor visa, or a G series visa are not Eligible Non-Citizens.

“Eligible Postsecondary Institution” means an institution that is:

- (1) a unit of the University System of Georgia; or
- (2) a branch of the Technical College System of Georgia.

“Enroll”, “Enrolled” or “Enrollment” means a student has completed the registration requirements, as defined by the postsecondary institution, except for payment of Tuition and fees.

“Exception” means a formal action by the Board to waive a specific program regulation for a student.

“Factor Rate” means the percentage determined annually by the Commission against which the previous year HOPE Award Amount is multiplied.

“FAFSA” means Free Application for Federal Student Aid, the paper or electronic form provided and processed by the United States Department of Education and used by students to apply for Federal Title IV Programs, institutional aid, and some state aid programs.

“Federal Title IV Program(s)” means the student financial aid programs administered by the United States Department of Education that are authorized by Title IV of the Higher Education Act of 1965.

“Federal Title IV Regulations” means federal regulations governing Title IV of the Higher Education Act of 1965, as amended by the Higher Education Amendments of 1998, found in Chapter Six of Title 34 of the Federal Register.

“Full-Time” means Enrollment for the equivalent of at least 12 semester or 12 quarter credit hours during a term at a postsecondary institution.

“GCollege411” means the Commission’s website that provides information on careers, Georgia’s postsecondary institutions, student financial aid, and accesses electronic college and financial aid applications.

“Georgia Resident” or “Georgia Residency” means an individual or the status of such individual who is a United States citizen or Eligible Non-Citizen and meets the in-state Tuition requirements of the Board of Regents or the governing body of the TCSG Eligible Postsecondary Institution he or she attends, as specified and limited by these regulations.

“Graduate” means a postsecondary program of study beyond the Baccalaureate Degree.

“GSFAPPS” means the Georgia Student Financial Aid Application System, the Commission’s web-based electronic application process by which students can apply for the scholarship and grant programs administered by the Commission.

“Half-Time” means Enrollment for the equivalent of at least 6 semester or 6 quarter credit hours, but not more than 11 semester or 11 quarter credit hours, during a term at a postsecondary institution.

“Home Institution” means an Eligible Postsecondary Institution in which the student is Enrolled and is in a Matriculated status working toward a Degree, Diploma, or Certificate.

“HOPE” means Helping Outstanding Pupils Educationally, a State of Georgia student financial aid program administered by the Commission to provide non-repayable scholarship and grant assistance to residents of Georgia attending Eligible Postsecondary Institutions in Georgia. The components that comprise HOPE are the Zell Miller Scholarship Program, HOPE Scholarship Program, HOPE Grant Program, and HOPE GED Grant Program. HOPE is authorized by the Official Code of Georgia Annotated § 20-3-519, is funded by State of Georgia Lottery appropriations, and administered by the Commission in accordance with the *Zell Miller Scholarship Program Regulations, HOPE Scholarship Program Regulations, HOPE Grant Program Regulations, and HOPE GED Grant Program Regulations*.

“HOPE Award Amount” means the HOPE Award Rate multiplied by the number of credit hours, in which an eligible student is enrolled per semester or quarter, up to a maximum of 15.

“HOPE Award Rate” means the amount equal to the previous Academic Year HOPE Award Amount multiplied by the Factor Rate, divided by 15.

“HOPE GED Grant Program” or “HOPE GED Grant” means a State of Georgia student financial aid program that provides grant assistance to Georgia Residents who received GED diplomas, and are attending Eligible Postsecondary Institutions. The HOPE GED Grant Program is authorized by the O. C. G. A. § 20-3-519, funded by Georgia Lottery appropriations, and administered by the Commission in accordance with the *HOPE GED Grant Program Regulations*.

“HOPE Grant Program” or “HOPE Grant” means a State of Georgia student financial aid program that provides grant assistance to Georgia Residents seeking technical Certificates or Diplomas from TCSG and USG Eligible Postsecondary Institutions. The HOPE Grant Program is authorized by the O. C. G. A. § 20-3-519, funded by Georgia Lottery appropriations, and administered by the Commission in accordance with the *HOPE Grant Program Regulations*.

“HOPE Scholarship Program” or “HOPE Scholarship” means a State of Georgia student financial aid program that provides merit-based scholarship assistance to Georgia Residents seeking Degrees from Eligible Postsecondary Institutions. The HOPE Scholarship Program is authorized by O. C. G. A. § 20-3-519, funded by Georgia Lottery appropriations, and administered by the Commission in accordance with the *HOPE Scholarship Program Regulations*.

“Host Institution” means a postsecondary institution a student is temporarily attending as a Transient student.

“Immediate Family” means the Parent, spouse, child or sibling of a student.

“Incarcerated” means to be confined by competent public authority or under due legal process. A student is considered Incarcerated if he or she is serving a criminal sentence in a federal, state, or local penitentiary, prison, jail, reformatory, work farm, half-way house, or similar correctional institution (whether operated by the government or a contractor) or is sentenced to home detention.

“Invoicing Deadline Date” means a date set by the Commission on which all invoices for HOPE must be submitted and approved for payment, including the resolution of any reject, for each term.

“Joint Enrollment” means an arrangement whereby a high school student is Enrolled in postsecondary coursework with a postsecondary institution while continuing to pursue a high school diploma, and the high school has not agreed to accept the postsecondary coursework as credit toward the student’s high school graduation requirements.

“Learning Support” means remedial or developmental coursework required by the postsecondary institution or chosen by the student that does not count toward program requirements for the Diploma, Certificate or Degree the student is seeking and for which HOPE payment is sought.

“Matriculated” means a student is fully admitted and Enrolled at a postsecondary institution in a unified academic program of study leading to a Degree, Diploma, or Certificate.

“Military Personnel” means an active member of the Armed Forces of the United States, including members of the Army, Navy, Air Force, Marine Corps, and Coast Guard. Commissioned officers of the Public Health Service or the National Oceanic and Atmospheric Administration on active duty are also considered to be Military Personnel.

“Non-Standard Term” means a term where all coursework is expected to begin and end within a set period of time, but is not a semester, trimester, or quarter term. Non-Standard terms may be of unequal length within an Award Year.

“Non-Term” means a program of study measuring progress in clock hours, or a program of study measuring progress in credit hours and has courses that do not begin and end within a set period of time or has courses that overlap or has sequential courses that do not begin and end within a term.

“Paid-Hours” means the postsecondary credit hours attempted by a student, for which he or she received payment from the HOPE Grant Program and are counted toward the Paid-Hours limit. Paid-Hours are used to determine when a student has reached the maximum number of hours for which he or she can receive payment from the HOPE Grant Program.

“Parent” means the natural/biological mother or father, adoptive parent, or United States court-appointed legal guardian of a student.

“Postsecondary Cumulative Grade Point Average” means the calculation of postsecondary grades earned in Diploma or Certificate coursework, except Learning Support, Developmental or Dual Enrollment courses, to determine eligibility for the HOPE Grant at certain Checkpoints. The Postsecondary Cumulative Grade Point Average is calculated, by the Eligible Postsecondary Institution, on a traditional 4.00 scale, to the hundredth decimal, without rounding. A traditional 4.00 scale is defined as 4.00 = A+, A, A-, 90.00 or above, 3.00 = B+, B, B-, 80.00 – 89.99, 2.00 = C+, C, C-, 70.00 – 79.99, 1.00 = D+, D, D-, 60.00-69.99 and 0 = F, 59.99 or below.

“Quality Points” means the value assigned to coursework by multiplying the number of credit hours a course is worth by the grade points earned for the course on a traditional 4.00 scale, to the hundredth decimal, without rounding. A traditional 4.00 scale is defined as 4.00 = A+, A, A-, 90.00 or above, 3.00 = B+, B, B-, 80.00 – 89.99, 2.00 = C+, C, C-, 70.00 – 79.99, 1.00 = D+, D, D-, 60.00-69.99 and 0 = F, 59.99 or below.

“Satisfactory Academic Progress” means the academic standards required of students by their postsecondary institutions in order to be eligible to receive payment from Federal Title IV Programs, in accordance with Federal Title IV Regulations.

“Serious Illness or Injury” means a health problem that is medically documented as being severe enough to interfere with the student’s ability to perform academically.

“Spouse” means an individual who is legally married to and recognized as the wife or husband of an active qualifying Military Personnel member.

“Stationed” means the permanent place of military duty to which Military Personnel are officially assigned or attached by official military orders. Military Personnel are not considered Stationed when the military orders are for temporary duty assignments.

“Study Away” means postsecondary credit-earning coursework approved by an Eligible Postsecondary Institution for its students in locations outside the State of Georgia, including locations in foreign countries.

“SURFER” means the Commission’s web-based system used by Eligible Postsecondary Institutions to electronically transmit and receive student data, award

information, and conduct other administrative activities related to the Commission's scholarship and grant programs.

“Technical College System of Georgia” or “TCSG” means the State of Georgia's unified system of public technical colleges, formerly known as the Department of Technical and Adult Education (DTAE), which is governed by the Board of Commissioners and the Technical College System of Georgia.

“Term-Reconciliation” means an official acknowledgement by an authorized official of an Eligible Postsecondary Institution, at the end of each term, that the number of students submitted for payment and amount invoiced by the institution, and the number of students awarded and amount issued by the Commission, according to the SURFER system, are accurate on the date of such acknowledgement.

“Transient” means temporary admission to a Host Institution for the purpose of completing coursework and earning postsecondary credit that the Home Institution has agreed to accept as transferable postsecondary credit.

“Tuition” means the charges to a student for postsecondary academic instruction without regard to other fees such as technology, activity, athletic, health, etc.

“Tuition Equalization Grant” or “TEG” means the State of Georgia student financial aid program administered by the Commission and funded by state appropriations to provide grant assistance for postsecondary study to Georgia Residents, in accordance with O.C.G.A. § 20-3-410 et seq..

“Undergraduate” means coursework that is included in a postsecondary program of study leading to an Associate Degree, Baccalaureate Degree, Certificate, or Diploma and is not included in a Graduate program of study.

“University System of Georgia” or “USG” means the State of Georgia's unified system of public colleges and universities, which is governed by the Board of Regents.

“Withdrawal Date” means the date the student withdraws, as determined by the institution in accordance with the procedures set forth for determining Withdrawal Date under the Higher Education Act of 1965, as amended.

“Zell Miller Scholar” means a student who is Academically Eligible to receive the Zell Miller Scholarship.

“Zell Miller Scholarship Program” or “Zell Miller Scholarship” or “Zell Miller” means a State of Georgia student financial aid program that provides merit-based scholarship assistance to Georgia Residents seeking Degrees from Eligible Postsecondary Institutions. The Zell Miller Scholarship Program is authorized by the O.C.G.A. § 20-3-519 et seq., funded by Georgia Lottery appropriations, and

administered by the Commission in accordance with the *Zell Miller Scholarship Program Regulations*.

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304. General Eligibility Requirements.

304.1. Citizenship.

A student must be a United States citizen or an Eligible Non-Citizen for 12 consecutive months immediately preceding the first day of classes of the school term for which the HOPE Grant is sought. Full-time 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.

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- a. A student attending a USG or TCSG institution who meets the Georgia Residency requirements of the Board of Regents or the Technical College System of Georgia 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.
- b. A student who does not meet the Georgia Residency requirements of the Board of Regents or the Technical College System of Georgia 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 HOPE Grant is sought.
- c. For purposes of HOPE eligibility, to be a resident on the date of high school graduation, Home Study program completion or successful GED test means to have established residency in Georgia, as determined by policies, but without regard to the length of time such student has established such residency.
- d. Military Personnel stationed in Georgia on Active Duty, or listing Georgia as his or her home of record, his or her Spouse, and his or her Dependent Child shall be treated as a Georgia Resident for purposes of HOPE Grant eligibility.
- e. A student attending a USG or TCSG institution as a Joint or Dual Enrolled student must meet the Georgia Residency requirements of the Board of Regents or the Technical College System of Georgia for 12 consecutive months immediately prior to the first day of classes of the school term for which the HOPE Grant is sought.
- f. 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 HOPE Grant Program, regardless of the length of time they have resided in the State of Georgia.
- g. 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. If such student later returns to Georgia, he or she must re-establish Georgia Residency for 12 consecutive months, (in accordance with *Section 304.2.a.*), before regaining HOPE eligibility. 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.

- a. A student must be Enrolled at a USG or TCSG Eligible Postsecondary Institution in a Matriculated status leading to a technical Certificate or Diploma. The Certificate or Diploma program of study must be approved by the Board of Commissioners of the Technical College System of Georgia or be a comparable program of study approved by the Board of Regents of the University System of Georgia. Such Certificate or Diploma must be granted and issued to the student from his or her Eligible Postsecondary Institution.
- b. 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.
- c. A student is eligible for HOPE Grant payment for a Certificate or Diploma course only if such course is included in his or her Certificate or Diploma program of study. 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. A student cannot receive HOPE Grant payment for Degree courses used to fulfill general elective requirements for a Certificate or Diploma program of study.
- d. 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. However, a student who will reach the Attempted-Hours or Paid-Hours limit with a fraction of an hour can be paid for a full hour.

304.4. Satisfactory Academic Progress.

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

304.5. Selective Service Registration.

A student must be in compliance with the United States Selective Service System requirements, if such requirements are 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.

A student must not be in default on a Federal Title IV or State of Georgia educational loan, nor owe a refund on a Federal Title IV or State of Georgia student financial aid program, nor in any other way be in violation of Federal Title IV 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 the Commission on behalf of the student. 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 HOPE Grant funds beginning with the school term in which repayment was made in full, but not retroactively for previous school terms. A student's default status can be resolved one of four ways: 1) completing an acceptable rehabilitation plan, 2) having the loan repurchased by the original lender and the default status reversed, 3) by consolidating the loan out of a default status, or 4) by receiving an approved Title IV debt settlement, to include a compromised settlement.

304.7. Georgia Drug-Free Act.

A student convicted for committing certain felony offenses involving marijuana, controlled substances, or dangerous drugs, is 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. § 20-1-24.

304.8. Incarceration.

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

305. Program Specific Eligibility Requirements.

305.1. 30 Hour Checkpoint.

- a. A HOPE Grant recipient who has accumulated at least 30 semester or 45 quarter Paid-Hours, (excluding Learning Support and Dual Enrollment coursework), but less than 60 semester or 90 quarter Paid-Hours, must have earned a Postsecondary Cumulative Grade Point Average of at least 3.00 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.
 1. 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 3.00 Cumulative Grade Point Average, can regain HOPE Grant eligibility if his or her Postsecondary Cumulative Grade Point Average is at least 3.00 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.
 2. The 60 hour Checkpoint will include all coursework that would have normally been paid for by HOPE Grant, (excluding Learning Support and Dual Enrollment), had the student met all HOPE Grant requirements.
 3. Students that regain eligibility at the 60 hour Checkpoint are eligible for the full number of HOPE Grant Paid-Hours maximums of 63 semester or 95 quarter hours of payment.

305.2. 60 Hour Checkpoint.

- a. 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 Postsecondary Cumulative Grade Point Average of at least 3.00 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.
 1. 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 3.00 Postsecondary Cumulative Grade Point Average, cannot regain HOPE Grant eligibility.

305.3. Checkpoint for Students Enrolled Prior to Fall 2011.

Students who have accumulated at least 30 semester or 45 quarter Paid-Hours, but less than 60 semester or 90 quarter Paid-Hours, prior to Fall term 2011, will first be subject to a Checkpoint at the end of the term at which the student has accumulated 60 semester or 90 quarter Paid-Hours. Such Checkpoint will include all Paid-Hours

coursework and corresponding grades, (excluding Learning Support and Dual Enrollment coursework).

305.4. Coursework Included in GPA Calculations.

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

305.5. Paid-Hours Limit.

- a. A student may receive HOPE Grant payment for all coursework required by an Eligible Postsecondary Institution for a program of study leading to a technical Certificate or Diploma, including Learning Support coursework. However, 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.
- b. The Paid-Hours limit is 63 semester or 95 quarter hours of HOPE Grant payment.
 1. 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.

- a. Technical Certificate or Diploma credit hours attempted prior to Summer term of 2003 are not counted as Paid-Hours, regardless of HOPE Grant payment.
- b. Technical Certificate or Diploma credit hours attempted beginning with the Summer term of 2003, for which the student received HOPE Grant payment, must be counted as Paid-Hours, unless the student was a high school Joint Enrollment or Dual Credit Enrollment student during such term.
- c. Technical 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.
- d. Technical Certificate or Diploma credit hours for which a Joint Enrollment or Dual Credit Enrollment high school student received HOPE Grant payment for Fall term of 2004, through the Spring term of 2008, must be counted as Paid-Hours.
- e. Technical Certificate or Diploma credit hours for which a Dual Credit Enrollment high school student received HOPE Grant payment for Summer term of 2008, and all terms following Summer term of 2008, are not counted as Paid-Hours.

- f. Credit hours for which a student received HOPE Grant payment prior to his or her high school graduation must be counted as Paid-Hours, if the student was participating in Joint Enrollment, rather than Dual Credit Enrollment.
- g. 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 was greater than 12 hours.
- h. 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.

In addition to the Paid-Hours limit for HOPE Grant eligibility, 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 Zell Miller or HOPE Scholarship Paid-Hours, plus HOPE Grant Paid-Hours, plus Accel Program Hours paid through fiscal year 2011.

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

- a. A student who has received a Baccalaureate Degree, its equivalent or higher, from any postsecondary institution is ineligible to receive HOPE Grant payment.
- b. Recipients of the HOPE Grant are not limited by the number of technical 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.

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306. Eligible Coursework.

306.1. Joint and Dual Enrollment Coursework.

- a. A student, meeting all other HOPE Grant requirements, is eligible for HOPE Grant payment for postsecondary technical Certificate or Diploma coursework as a Joint Enrollment or Dual Credit Enrollment student at an Eligible Postsecondary Institution.
- b. The credit hours for which a student receives HOPE Grant funds for Joint Enrollment coursework must count toward the Paid-Hours limit and the Combined Paid-Hours limit.
- c. The credit hours for which a student receives HOPE Grant funds for Dual Credit Enrollment coursework must not count toward the Paid-Hours limit and the Combined Paid-Hours limit, if such coursework was attempted during a school term that began on or after July 1, 2008.
- d. The credit hours for which a student receives HOPE Grant funds for Dual Credit Enrollment coursework must count toward the Paid-Hours limit and the Combined Paid-Hours limit, if such coursework was attempted during a school term that began prior to July 1, 2008, unless:
 1. The student requests a waiver of the July 1, 2008 requirement specified in 306.1.c; and
 2. GSFC approves the waiver request.

306.2. Learning Support Coursework.

- a. A student seeking a technical 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.
 1. Grades for Learning Support coursework are not included in the student's GPA calculation at the Checkpoints.

306.3. Coursework Exemptions.

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

306.4. Distance Learning Coursework.

- a. 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.
- b. A student taking coursework through more than one Eligible Postsecondary Institution during the same term is eligible to receive HOPE Grant payment from each 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 306.5.*).

306.5. Transient Coursework.

- a. 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.
- b. The Host Institution awards HOPE Grant funds to the Transient student based on certification of eligibility from the Home Institution. The Home Institution is responsible for verifying the eligibility of their 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. The Host Institution must report HOPE Grant payment for Transient students to the Commission in the same manner it reports HOPE Grant payments for its regular students. Upon the student's return to the Home Institution, the Host Institution must provide information necessary for the Home Institution to determine continued HOPE Grant eligibility.
- c. 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.

306.6. Study Away Coursework.

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

306.7. Continuing Education and Audit Coursework.

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.

306.8. Total Withdrawal from Coursework.

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 "Withdrawal" or any other similar identification (Refer to *Section 310.1.*).

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307. Student Application Requirements.

NEW

Beginning with the 2013-2014 Award Year, a student must complete a current year FAFSA to receive HOPE Grant funding. The student must then complete a FAFSA for each subsequent year for which funding is sought.

Completion of a FAFSA is **not** required for a Dual-Enrolled or Joint-Enrolled student. However, if such student is 18 years of age prior to the beginning of the term for which funding is sought or will turn 18 during the term for which funding is sought, he or she must complete a notarized affidavit and provide documentation to the Commission to prove lawful presence in the United States.

307.1. Application Forms.

- a. In order to be considered for a HOPE Grant, a student must complete one of the following application forms:
 1. A GSFAPPS electronic application;
 2. A paper HOPE Scholarship and Grant Application, (printable from the GAcademy411 website), or
 3. A current year FAFSA.
 - a. A student who applies for HOPE Grant by completing and submitting a FAFSA must complete and submit a new FAFSA for each Award Year.
- b. In addition to one of these three applications, an Eligible Postsecondary Institution may require students to complete the institution's application for student financial aid or other forms to provide supplemental information for the purpose of determining HOPE Grant eligibility.
- c. Once a student has submitted a GSFAPPS or paper HOPE Scholarship and Grant Application, and it has been accepted on the Commission's system as a valid application, it will remain on the Commission's system as a valid application for 84 consecutive months following the application's approval date. The student's application will remain valid during the 84 month period, regardless of whether or not an institution submits a HOPE invoice to the Commission on behalf of the student during the 84 month period. Upon conclusion of the 84 month period, the student's application will expire. 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 the Commission. If during the original application's 84 month period, the student submits to the Commission a new application for HOPE, or an application for a program other than HOPE, both applications will remain valid for 84 consecutive months following the second application's approval date. The above stipulations of *Section 307.1.c.* apply to all GSFAPPS and paper

HOPE Scholarship and Grant Applications accepted as valid applications on the Commission's system, including such applications that were submitted to and accepted by the Commission prior to the 2008-2009 Award Year.

307.2. Application Deadline Date.

A student must file a GSFAPPS, FAFSA, or paper HOPE Scholarship and Grant Application 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 institution, whichever occurs later. Supplemental documentation required by the institution or the Commission to support or verify a student's application information may be submitted after the deadline without jeopardizing the student's eligibility.

307.3. Application for Subsequent Years.

It is not mandatory, except as provided for in *Sections 307.1.a.3. and 307.1.b.* of these regulations, for a student to complete a new application for the HOPE Grant for each Award Year. However, Eligible Postsecondary Institutions may require their students to complete a new application each Award Year.

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308. Award Requirements.

308.1. Tuition Award.

- a. The award amount is equal to the HOPE Award Rate, multiplied by the number of credit hours in which a student is enrolled up to a maximum of 15 credit hours.
- b. If a student is receiving student 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, then the student's HOPE Grant award must be reduced to an amount equal to the student's full Tuition minus other aid, so that the HOPE Award Amount and other aid do not exceed the total Tuition cost.
- c. A student's HOPE Grant award is not reduced if the student is receiving financial aid that is applied to educational expenses other than Tuition, even if the student's total aid exceeds his or her Cost of Attendance.

308.2. Awards Per School Term.

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. An institution may combine mini-terms or modules to form the equivalent of a standard semester or quarter. An 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.

308.3. Student Notification of Award.

- a. 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.
- b. A student who wishes to decline a HOPE Grant award must do so actively. The institution must maintain a record of the student's notification to the institution that he or she is declining the award. 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.

309. Invoicing Requirements.

309.1. Submission of Invoices.

- a. Eligible Postsecondary Institutions may submit HOPE Grant invoices to the Commission as early as 15 calendar days prior to the first day of classes for the school term.
- b. Invoices must be submitted, processed and approved by the Commission by the Invoicing Deadline Date as established by the Commission. In the event invoices are submitted to the Commission by Eligible Postsecondary Institutions after the Invoicing Deadline Date for a school term, the Commission 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.
- c. Prior to the beginning of any award year and no later than June 30 of each year the Commission shall establish and publish the Invoicing Deadline Dates for each school term for the upcoming Award Year.
- d. An Invoice may be honored or paid after the Invoicing Deadline Date if the failure to meet the date was due to the need for supplemental documentation required by the institution or the Commission to support or verify a student's eligibility, or late grades, late completions, grade changes or 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.
- e. The President of GSFC has sole discretion in the determination of deadline extensions.

309.2. Payment of Invoices.

HOPE funds are paid to Eligible Postsecondary Institutions by check or electronic transfer of funds on behalf of eligible students each school term upon submission to the Commission of a HOPE invoice.

309.3. Tuition Payments.

Upon receipt of HOPE Grant payments from the Commission, the institution must credit the amount of payment on behalf of an eligible student to the account of the student, toward tuition.

310. Student Refunds.

310.1. Calculation of Refunds.

- a. 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 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 "Withdrawal", or any other code or identification for such a withdrawal. If the institution invoiced the Commission prior to the student's total withdrawal, then the institution must cancel the student's HOPE award for that term, through the SURFER system.
- b. If applicable, the Eligible Postsecondary Institution must first apply the Federal Title IV Return of Funds policy for any federal aid the student may have received. To determine the refund to HOPE, the institution must then apply the institution's refund policy, which may or may not be identical to Federal Title IV Return of Funds policy, to the student's original HOPE Grant award for Tuition.
- c. The Eligible Postsecondary Institution must determine the amount of the refund due back to the HOPE program. The amount of the HOPE award not determined to be owed back to the HOPE program is retained by the institution to cover the institution's cost for the portion of the school term that the student was enrolled.
- d. The Eligible Postsecondary Institution must adjust the student's invoice in SURFER to the new award amount remaining after the refund is calculated within 45 days of the determination.
- e. 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 45 days of the refund determination. The Eligible Postsecondary Institution would then collect the refund amount from the student. However, the student should not be reported with a "Refund Due" status to the Commission since the funds have been repaid to the Commission.
- f. 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 the Commission the refund owed to the HOPE program, after applying the Federal Title IV Return of Funds policy. In this instance, the student is considered to have a "Refund Due" to the Commission and the institution must report the student to the Commission with a "Refund Due" status.

310.2. Collection of Refunds.

A student who owes a refund to the Commission should pay the Eligible Postsecondary Institution and the Eligible Postsecondary Institution should pay the Commission or, at its sole discretion, the Commission may require the student to pay the refund directly to the Commission. Nothing herein shall be deemed to prohibit the Commission or the Eligible Postsecondary Institution from using all available legal and equitable remedies to collect the refund, including, but not limited to, garnishment of pay, loss of professional license, offset of lottery winnings, and offset of state tax refund.

310.3. Emergency Military Duty.

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. 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 institution totally removes all grades for that term and corresponding credit hours from the student’s records, the institution should return the full amount of the HOPE Grant award to the HOPE account. 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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311. Reconciliation Requirements.

311.1. Term-Reconciliation.

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 that the number of students submitted for payment, the amount invoiced by the institution, the number of students awarded and the amount issued by the Commission, according to the SURFER system, is accurate on that date. The Commission will not issue HOPE funds for the following term until the Term-Reconciliation is complete. Funds are not returned to the Commission as part of the Term-Reconciliation process.

311.2. Award-Year Reconciliation.

In addition to the Term-Reconciliations, the Eligible Postsecondary Institution must conduct the Award-Year Reconciliation. The institution must conduct a complete student-by-student Award-Year Reconciliation with the Commission, and submit a Reconciliation Certification Form to the Commission by July 15, immediately following the completion of the Award Year.

311.3. Return of Funds.

The institution must return to the Commission any HOPE funds not utilized according to the Award-Year Reconciliation within 30 days of completing the Award-Year Reconciliation process. The institution must have a procedure in place to ensure that the HOPE funds do not go to an unintended third party (i.e. State, institution).

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312. Records Retention Requirements.

312.1. Length of Retention.

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 the later of three years after the Award Year in which the aid was awarded, or for such other period as required by an applicable statute, rule, or regulation; or such other time as requested in writing by the Commission.

312.2. Documentation.

- a. Documentation contained within an individual student file or record, which supports the original determination of a student's eligibility, must be retained by the institution and available for review by the Commission on the 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 314.*) Institutions are permitted to maintain these documents in an imaged media format. The imaged media format must be capable of reproducing an accurate, legible, and complete copy of the original document.
- b. 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. Documentation regarding a student's eligibility is not limited to files, records, and other information received and maintained by the institution's Student Financial Aid Office. Documentation supporting a student's eligibility that is received and maintained by the institution's Admissions Office, Registrars Office, Business Office, and other administrative operations of the institution must be available to the Commission for the purpose of Compliance Reviews. It is the 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.

312.3. Extended Retention.

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 described above. If the three-year retention period expires before the issue in question is resolved, the institution must continue to retain all associated records until resolution is reached.

313. Administrative Reviews and Exceptions.

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.

313.1. Administrative Reviews.

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 the Commission. 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 the Commission and must follow the HOPE Grant Administrative Review process as set forth in these regulations. The Commission will review the case and determine whether the rule or regulation was applied correctly and notify the student and institution of the determination.

In order for a request for an Administrative Review to be considered, the student must submit a written request for an Administrative Review to the Commission office **within 45 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 the Commission. The Commission decides a case based only on documentation provided, rather than a personal presentation.

313.2. Requesting an Exception.

a. In exceptional cases, the Board of Commissioners of the Commission may grant a HOPE Grant award to a student who fails to meet the regulatory requirements for HOPE Grant funds. The Board of Commissioners has sole discretion to grant an Exception to these regulations based on the circumstances presented by a student who is requesting an Exception. No student has the right to a HOPE Grant award under any of the circumstances described in *Section 313.3*. No student has the right to appeal the denial of an Exception by the Board of Commissioners. 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.

NEW

b. 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, or reaching a HOPE Scholarship Checkpoint without achieving a GPA.

1. 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 6 months immediately

preceding the student's official date of withdrawal from the academic term for which the Exception is being requested.

NEW

2. 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 6 months immediately preceding the student's official date of withdrawal from the academic term for which the Exception is being requested.
- c. The GSFC Board of Commissioners' decision to approve or deny an Exception request is final and cannot be appealed. In order for an Exception to be considered, the student **must** submit a written request for an Exception to the Commission office within **45 days of receiving notice of denial** of his or her HOPE Grant award. All required documentation must be provided at the time of submission. Omission of documentation or incomplete requests may not be considered by the GSFC Board of Commissioners and may result in an automatic denial.
- d. Items required to be considered for an Exception by the Commission must be received by close of business on the deadline date listed below. These items are to be received by the Commission 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. 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.

1. Deadline Submission Dates for the 2012-2013 Award Year

Board Meeting

Submission Deadline

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

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

- e. Exceptions are processed by the Commission staff and prepared for review by the Board of Commissioners. A summary of each case is prepared by staff. Staff summaries shall be 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. The Commission staff is

expected to notify the student of the Board of Commissioner's decision within seven days of the approval or denial.

- f. Exceptions granted by the Board of Commissioners shall provide for the forgiveness of postsecondary Attempted-Hours and/or Paid-Hours, but 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. Nor, under any circumstances, shall an Exception be made regarding student-data submitted to the Commission by a student's high school for purposes of determining the student's eligibility for a HOPE Grant.

313.3. Guidelines for Approval of an Exception Request.

The Commission 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:

NEW

- A30 Requests for an Exception may be allowed for a HOPE 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 HOPE funds is extended.

NEW

- A31 Requests for an Exception may be allowed for a HOPE 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 HOPE funds is extended.

NEW

- A32 Requests for an Exception may be allowed for a HOPE 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 HOPE funds is extended.

NEW

- A33 Requests for an Exception may be allowed for a HOPE 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 HOPE funds is extended.

NEW

A34 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.
2. the student remains academically eligible to receive the HOPE Grant.

313.4. Guidelines for Denial of an Exception Request

The Commission 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.

NEW

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 6 months immediately preceding the student's official date of withdrawal from the academic term for which the Exception is being requested, or the student did not receive HOPE Grant funds during the term of withdrawal.

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 6

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 Program.
- D37 If the basis of the request is a reason other than those specifically listed in *Section 313.3.* of these regulations.

314. Compliance Reviews.

314.1. Compliance Review Policy.

The Commission 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 the Commission's *Compliance Review Process and Procedures* document, which is available on the *gsfc.org* website, under *School and Lender Information-Compliance Documents*.

314.2. Compliance Review Process.

- a. The Commission selects a sampling of the institution's HOPE Grant recipients, for the Award Year under review, and the institution's files and records for the sample are examined to assure compliance. Each Eligible Postsecondary Institution must have all student records, which document and support the eligibility of that institution's HOPE Grant recipients, available for review by the Commission on the campus of the Eligible Postsecondary Institution, and such campus must be located within the State of Georgia. (Refer to *Section 312*.)
- b. The Commission will exclude from review the Residency determinations and Satisfactory Academic Progress (SAP) determinations, as they relate to *Sections 304.2.a., 304.2.b. and 304.4.* of these regulations, made for HOPE Grant recipients in the selected sample for any Eligible Postsecondary Institution which has submitted to the Compliance Department of Georgia Student Finance Commission a certification signed by the President of the Eligible Postsecondary Institution that 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 Satisfactory Academic Progress, and that the Residency and SAP determinations have been fairly and consistently applied with respect to all students receiving the HOPE Grant awards. Such certification must be submitted annually to the Compliance Department of Georgia Student Finance Commission in the format required by the Commission.
 1. 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.

314.3. Institutional Repayment.

- a. In the event it is determined that a 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 postsecondary institution to the Commission.

- b. The Commission may suspend a postsecondary institution from receiving HOPE payments if it fails to refund any monies deemed due based on the Compliance Review.
- c. 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 obtain wrongfully a HOPE Grant award shall be guilty of a misdemeanor.
- d. If later 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 must be canceled. The Eligible Postsecondary Institution is held harmless by the Commission, if a student's file is adequately documented with available evidence and it is determined by the Commission that the institution was not at fault. 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.). The institution must notify the student and the Commission of a refund due. The student will be ineligible to receive additional state aid from the Commission until the funds are repaid in full, in accordance with *Section 310.2*. If the student's file is determined not to be adequately documented by the Commission then the Eligible Postsecondary Institution may be responsible for the repayment.