HOPE Scholarship Program
at Public Institutions

REGULATIONS – 100.

2012 - 2013 Award Year

Effective Date – July 1, 2012

Georgia Student Finance Commission
LOANS ◢ SCHOLARSHIPS ◢ GRANTS

2082 East Exchange Place
Tucker, Georgia 30084

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102. Program Overview.

The HOPE Scholarship Program is a merit-based scholarship program with specific academic and grade point average eligibility requirements. The purpose of the HOPE Scholarship Program is to encourage the academic achievement of Georgia's high school students and Georgians seeking Degrees from postsecondary institutions located in Georgia.

An eligible student seeking a Degree from a University System of Georgia or Technical College System of Georgia institution may receive a HOPE Award Amount to be determined by the Commission.

The HOPE Scholarship Program for students attending Georgia's public postsecondary institutions 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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103. 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 program rule, policy, or regulation was applied correctly in a student's specific case.

"Advanced Placement" or "AP" means a nationwide program and testing service that offers high school students the opportunity to receive credit from a postsecondary institution for standardized coursework taken while in high school.

"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.

"Attempted-Hours" means Degree credit hours that are used to determine when the Postsecondary Cumulative Grade Point Average must be checked for HOPE Scholarship eligibility, and to determine when a student has reached his or her maximum hours of eligibility for the HOPE Scholarship Program.

"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 that 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.

"Carnegie Unit" means one unit of high school credit for a minimum of 150 clock hours of instruction.

"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 a term at which a student's Postsecondary Cumulative Grade Point Average must be calculated to determine the student's eligibility for the HOPE Scholarship. Such Checkpoints are Attempted-Hours Checkpoints, End-of-Spring Checkpoints, and Three-Term Checkpoints.

"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 Scholarship, 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 <u>not</u> 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 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 or the Southern Association of Independent Schools. Any high school not meeting the definition of an "Eligible High School" is considered to be an <u>ineligible</u> 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 Alien 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; or
(3) a private non-proprietary (non-profit) postsecondary institution located in Georgia that is eligible to participate in the Tuition Equalization Grant program, which is not a unit of the University System of Georgia, which is not a unit of the Technical College System of Georgia, which is not a four-year or Graduate level institution of higher education, that is, or is a part of, a college or university system that is owned and operated by a state other than Georgia, which is not a Graduate school or college of theology or divinity, and which is accredited or holds candidate status for accreditation by the Southern Association of Colleges and Schools or was previously accredited by the Southern Association of Colleges and Schools within the last seven years and which otherwise meets the requirements of this definition, except for the lack of accreditation by the Southern Association of Colleges and Schools; or
(4) a private proprietary (for-profit) postsecondary institution located in Georgia that is eligible to participate in the Tuition Equalization Grant program, which is a Baccalaureate Degree granting postsecondary institution, which is accredited by the Southern Association of Colleges and Schools, which is not a Bible school or college, which is not a Graduate school or college of theology or divinity, which admits as regular students only persons who have a high school diploma, a General Education Development (GED) diploma, or a Degree from an accredited postsecondary institution, whose students are eligible to participate in the Federal Pell Grant program, which has been reviewed and approved for operation and for receipt of Tuition Equalization Grant funds by the Georgia Nonpublic Postsecondary Education Commission, and which is domiciled and incorporated in the State of Georgia and which has been in existence in Georgia for at least ten years and which met all requirements of Part 4 of this definition by January 1, 2011. A proprietary institution, which was an approved institution prior to January 1, 2011, will continue to be an eligible institution as long as it continues to meet all requirements which were in place prior to January 1, 2011.

"End-of-Spring Checkpoint" means a Checkpoint, taking place at the end of the Spring semester, Spring quarter, or equivalent at which HOPE Scholarship recipients must have at least a 3.00 Postsecondary Cumulative Grade Point Average on a 4.00 scale in order to be eligible for payment for the following term.

This Checkpoint applies to First-Tier HOPE Scholarship recipients who Enrolled for 12 or more hours, excluding Learning Support hours, for at least one of their first three terms and for all Second-Tier and above students, regardless of enrollment status. A recipient may lose, but not gain or regain, eligibility at an End-of-Spring Checkpoint.

"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 regulation of the HOPE Scholarship Program for a student who meets one of the criteria provided for in *Section 113 – Administrative Reviews and Exceptions* of these regulations, provided, however, the Board shall have no authority to waive a requirement set forth in O.C.G.A. § 20-3-519 et.seq.

"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 Programs" 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.

"First Professional Degree Program" means a non-undergraduate program of study that: (1) Accepts students after the completion of two or three years of postsecondary study; (2) Results in the award of a non-undergraduate degree; and (3) Has been specifically approved by the Commission for inclusion as a First Professional Degree Program. For the 2012-2013 Award Year, Doctor of Pharmacy Degree Programs, Masters of Health Science with a major in Occupational Therapy Programs, Doctor of Chiropractic Degree Programs, and Doctor of Physical Therapy Programs offered by Eligible Postsecondary Institutions are approved by the Commission, and therefore considered First Professional Degree Programs. Regardless of approval by the Commission as a First Professional Degree Program, no student is eligible to receive HOPE Scholarship payment once he or she has earned a Baccalaureate Degree of any type, from any postsecondary institution, at any time.

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

"GAcollege411" 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 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.

"High School Graduating Class" means a group of students receiving their high school diploma within a specific school year. Students are considered members of a specific High School Graduating Class based on when they graduate from high school. Students who graduate within a school year are considered to be members of the same High School Graduating Class. A high school year begins with the Fall term and ends with the Summer term.

"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.

"Home Study" means an arrangement whereby a school-age child is involved in a course of study in which instruction is carried out at home rather than in a classroom and is governed by and operating in accordance with the requirements of O.C.G.A. § 20-2-690 (c).

"HOPE" means Helping Outstanding Pupils Educationally, a State of Georgia student financial aid program that provides scholarship and grant assistance to Georgia Residents 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 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*, *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, up to a maximum of 15, in which an eligible student is enrolled per semester or quarter.

"HOPE Award Rate" means the rate equal to the previous Academic Year HOPE Award Amount to the Eligible Postsecondary Institution 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 et seq., 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 et seq., funded by Georgia Lottery appropriations, and administered by the Commission in accordance with the *HOPE Grant Program Regulations*.

"HOPE Scholar" means a student who graduated from an Eligible High School as a member of the 1993 High School Graduating Class, or any High School Graduating Class thereafter, meeting the academic requirements for the HOPE Scholarship.

"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 the O.C.G.A. § 20-3-519 et seq., 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.

"International Baccalaureate" or "IB" means an international program and testing service that offers high school students the opportunity to receive postsecondary credit for standardized coursework taken while in high school.

"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.

"Mathematically Impossible" means a situation which assumes the student will make all "A's" during the next term, earning at least 12 hours, but those grades do not provide enough Quality Points to allow the student to have a 3.00 Postsecondary Cumulative Grade Point Average.

"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 Scholarship Program. 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 Scholarship

Program. All hours for which a student received HOPE Scholarship payment for the Fall term of 1993, and all terms thereafter, are counted as Paid-Hours.

"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 Degree coursework (including grades for Learning Support courses attempted through Summer term 2011) to determine eligibility for the HOPE Scholarship at the End-of-Spring Checkpoint, Three-Term Checkpoint, and all Attempted-Hours 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. If a student meets the academic requirements to be a HOPE Scholar, then all Degree hours (Attempted-Hours) and corresponding grades attempted after high school graduation, and only Degree hours and corresponding grades attempted after high school graduation, must be included in the calculation. If a student does not meet the academic requirements to be a HOPE Scholar, then all Degree hours (Attempted-Hours) attempted prior to high school graduation but after July 1, 2008, must be included in the calculation, but not the corresponding grades, if such credit hours are accepted by the student's Eligible Postsecondary Institution prior to Fall term 2011.

"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 of 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.

"Three-Term Checkpoint" means a Checkpoint, taking place at the end of a student's first three semesters or quarters, if Enrolled for less than 12 hours, excluding Learning Support hours, during each of those three terms, at which a First-Tier student must have at least a 3.00 Postsecondary Cumulative Grade Point Average on a 4.00 scale in order to continue receiving payment for the following term.

"Tier" means the academic level or classification of a postsecondary student who is seeking a Degree as follows:

a. **"First-Tier"** means the first academic level or classification of a postsecondary student who is seeking a Degree. A First-Tier student has accumulated less than 30 semester or 45 quarter Attempted-Hours.

b. **"Second-Tier"** means the second academic level or classification of a postsecondary student who is seeking a Degree. A Second-Tier student has accumulated at least 30 semester or 45 quarter Attempted-Hours, but no more than 60 semester or 90 quarter Attempted-Hours

c. **"Third-Tier"** means the third academic level or classification of a postsecondary student who is seeking a Degree. A Third-Tier student has accumulated at least 60 semester or 90 quarter Attempted-Hours, but no more than 90 semester or 135 quarter Attempted-Hours.

d. **"Fourth-Tier"** means the fourth academic level or classification of a postsecondary student who is seeking a Degree. A Fourth-Tier student has accumulated at least 90 semester or 135 quarter Attempted-Hours, but no more than 127 semester or 190 quarter Attempted-Hours.

"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 a 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*.

104. General Eligibility Requirements.

104.1. Citizenship.

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

104.2. Georgia Residency.

a. A First-Tier 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 Scholarship is sought.

    1. 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 Scholarship is sought.

b. A student entering the HOPE Scholarship Program at the Second-Tier, Third-Tier, or Fourth-Tier who meets the Georgia Residency requirements of the Board of Regents or the Technical College System of at the time of 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 Scholarship is sought.

    1. 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 Scholarship 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 Scholarship eligibility.

e. 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 Scholarship Program, regardless of the length of time they have resided in Georgia.

f. A student, who was correctly determined to meet the Georgia Residency requirements for purposes of HOPE Scholarship eligibility and began receiving HOPE Scholarship payment, will continue to meet the Georgia Residency requirements for purposes of HOPE Scholarship 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 104.2.a. or 104.2.b*.), before regaining HOPE Scholarship 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 Scholarship eligibility.

104.3. Enrollment Status.

a. A student must be Enrolled at a USG or TCSG Eligible Postsecondary Institution in a Matriculated status leading to a Degree. The Degree program of study must be approved by the TCSG Board of Commissioners or the USG Board of Regents.

b. A student is eligible for the HOPE Scholarship 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.

   1. For the school term in which a student reaches the Attempted-Hours or Combined Paid-Hours limit of 127 semester or 190 quarter hours, the student can be paid only for the hours up to the Attempted-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 remaining can be paid for a full hour.

104.4. Satisfactory Academic Progress.

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

104.5. Selective Service Registration.

A student must be in compliance with United States Selective Service System requirements, if such requirements are applicable, prior to the HOPE Scholarship application deadline (Refer to *Section 107.2*.) in order to be eligible for HOPE Scholarship payment for such school term.

104.6. 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 Scholarship 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.

104.7. Georgia Drug-Free Act.

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

104.8. Incarceration.

A student seeking a Degree from an Eligible Postsecondary Institution is ineligible for HOPE payment while Incarcerated. Upon release from Incarceration, such student may begin receiving HOPE Scholarship payments, if he or she meets all HOPE Scholarship eligibility requirements. Degree credit hours attempted while Incarcerated must be counted as Attempted-Hours for purposes of HOPE Scholarship eligibility.

105. Program Specific Eligibility Requirements.

105.1. Academic Rigor Requirements.

a. Beginning with the High School Graduating Class of 2015, a student meeting the requirements to be a HOPE Scholar at the time of high school graduation must receive credit in at least two of the courses from the Academic Rigor Coursework list below prior to graduating from high school.

b. Beginning with the High School Graduating Class of 2016, a student meeting the requirements to be a HOPE Scholar at the time of high school graduation must receive credit in at least three of the courses from the Academic Rigor Coursework list below prior to graduating from high school.

c. Beginning with the High School Graduating Class of 2017, a student meeting the requirements to be a HOPE Scholar at the time of high school graduation must receive credit in at least four of the courses from the Academic Rigor Coursework list below prior to graduating from high school.

Academic Rigor Coursework:

1. Advanced math, such as Advanced Algebra and Trigonometry, Math III, or an equivalent or higher course taken at an eligible high school or taken for degree level credit at an eligible postsecondary institution;

2. Advanced science, such as Chemistry, Physics, Biology II, or an equivalent or higher course taken at an eligible high school or taken for degree level credit at an eligible postsecondary institution;

3. Advanced Placement courses in core subjects;

4. International Baccalaureate courses in core subjects;

5. Courses taken at a unit of the University System of Georgia in core subjects where such courses are not remedial and developmental courses;

6. Advanced Foreign Language courses taken at an eligible high school or taken for degree level credit at an eligible postsecondary institution.

105.2. First-Tier Requirements.

a. Beginning with the High School Graduating Class of 2012 and beyond, students must graduate from an Eligible High School with a minimum of a 3.00 cumulative grade point average on a 4.00 scale, in order to meet the academic requirements as a HOPE Scholar for the HOPE Scholarship at the First-Tier. Each grade earned for attempted coursework in English, Mathematics, Science, Social Science and Foreign Language during the

student's ninth, tenth, eleventh or twelfth grade year that could, according to Georgia Department of Education classification, be used to satisfy a core curriculum graduation requirement must be equated to a grade on a 4.00 scale, such that a grade of "A" equals 4.00, "B" equals 3.00, "C" equals 2.00, "D" equals 1.00, and "F" equals 0.

b. Beginning with the High School Graduating Class of 2007 and beyond, students meeting the college preparatory curriculum track requirements must graduate from an Eligible High School with a minimum of a 3.00 cumulative grade point average on a 4.00 scale, in order to meet the academic requirements as a HOPE Scholar for the HOPE Scholarship at the First-Tier. Each grade earned for attempted coursework in English, Mathematics, Science, Social Science, and Foreign Language, that could, according to Georgia Department of Education classification, be used to satisfy a core curriculum graduation requirement for the college preparatory diploma, must be equated to a grade on a 4.00 scale, such that a grade of "A" equals 4.00, "B" equals 3.00, "C" equals 2.00, "D" equals 1.00, and "F" equals 0.

c. Beginning with the High School Graduating Class of 2007 and beyond, students meeting the career/technology curriculum track requirements must graduate from an Eligible High School with a minimum of a 3.20 cumulative grade point average on a 4.00 scale, in order to meet the academic requirements as a HOPE Scholar for the HOPE Scholarship at the First-Tier. Each grade earned for attempted coursework in English, Mathematics, Science, and Social Science that could, according to Georgia Department of Education classification, be used to satisfy a core curriculum graduation requirement for the career/technology diploma, must be equated to a grade on a 4.00 scale, such that a grade of "A" equals 4.00, "B" equals 3.00, "C" equals 2.00, "D" equals 1.0, and "F" equals 0.

d. Beginning with the High School Graduating Class of 2007 and beyond, Eligible High Schools located in Georgia are required to provide the Commission with electronic academic transcripts for all graduating students, at the time and in the format as prescribed by the Commission. The Commission shall use such transcript data to calculate each student's cumulative grade point average for purposes of HOPE Scholarship eligibility. If the transcript for the school from which the student graduated does not show the student's complete academic record for 9th, 10th, 11th, and 12th grades, additional transcripts must be provided from all other schools attended during those years. Calculation of the grade point average will not continue until official academic transcripts showing a complete high school academic record are received.

NEW Effective January 1, 2013

e. A student who graduates from an Eligible High School, which is not located in Georgia, must provide the Commission with an official academic transcript. The Commission shall use such transcript data to calculate the student's cumulative grade point average for purposes of HOPE Scholarship eligibility.

NEW Effective January 1, 2013

If the transcript for the school from which the student graduated does not show the student's complete academic record for 9th, 10th, 11th, and 12th grades, the student must provide to the Commission additional official transcripts from all other high schools attended during those years. Calculation of the grade point average will not continue until the student provides official academic transcripts showing a complete high school academic record.

f. All of the academic requirements for designation as a HOPE Scholar and for meeting academic requirements for the HOPE Scholarship at the First-Tier, as provided by *Section 105.2.c. and 105.2.d.* of these regulations, also apply to any student previously designated as a HOPE Scholar from a High School Graduating Class prior to the Class of 2007, if such student did not Enroll for the first time at an Eligible Postsecondary Institution before May 1, 2007. The Commission must calculate the high school grade average for purpose of the HOPE Scholarship for such students.

g. When calculating a student's high school grade average for purposes of HOPE Scholar designation, and for meeting the HOPE Scholarship academic requirements at the First-Tier, the Commission will remove the weighted portion, added by the student's eligible high school, from any grade earned from Advanced Placement or International Baccalaureate coursework and convert the grade to a 4.00 scale. The Commission will then add a standard weight of .50 to such grade, up to the maximum of a 4.00 grade, if the corresponding course was attempted during the 2006-2007 school year or after. The Commission will then add a standard weight of 1.00 to such grade, up to the maximum of a 4.00 grade, if the corresponding course was attempted prior to the 2006-2007 school year. Grades for Honors courses or other special courses will not be weighted. The Commission will remove the weighted portion, added by the student's Eligible High School from any grade earned from Honors courses or other special courses.

h. A First-Tier student may receive HOPE Scholarship payment through the school term in which he or she has accumulated at least 30 semester or 45 quarter Attempted-Hours, unless such student first reaches an End-of-Spring Checkpoint or Three-Term Checkpoint with less than a 3.00 Postsecondary Cumulative Grade Point Average.

i. A First-Tier student Enrolled for 12 or more hours during at least one of his or her first three school terms must have a Postsecondary Cumulative Grade Point Average of at least a 3.00 at the end of spring term (End-of-Spring Checkpoint), in order to continue eligibility beyond spring term.

j. A First-Tier student Enrolled for less than 12 hours for each of his or her first three school terms must have a Postsecondary Cumulative Grade Point Average of at least a 3.00 at the end of his or her third term (Three-Term Checkpoint), in order to continue eligibility beyond the third term

k. A First-Tier student who was Enrolled in less than 12 hours per term during his or her first two terms, but for 12 or more hours during his or her third term and the third term is after the End-of-Spring Checkpoint, is eligible to continue receiving the HOPE Scholarship at the First-Tier until such student has accumulated 30 semester or 45 quarter Attempted-Hours (Second-Tier Checkpoint), or reaches the next End-of-Spring Checkpoint, whichever occurs first.

l. A student who, in 1997 or later, graduated from a high school that is not an Eligible High School or completed a Home Study program that is not an Eligible High School, may receive HOPE Scholarship payment for the First-Tier if such student earns at least a 3.00 Postsecondary Cumulative Grade Point Average after having accumulated 30 semester or 45 quarter Attempted-Hours of Degree credit and meets all other HOPE Scholarship requirements, including the End-of-Spring and Three-Term Checkpoints. In order for such student to be eligible for the HOPE Scholarship at the First-Tier, the student must have met Georgia Residency requirements at the time he or she completed the Home Study requirements or graduated from high school. Additionally, the request for payment and all supporting documentation must be submitted to GSFC prior to the last day of the term following the term in which 30 semester or 45 quarter hours were attempted.

m. A student who earned a score from a single test administration in the national composite eighty-fifth percentile or higher on a standardized college admission test, such as the SAT or ACT, meets the academic requirements of HOPE Scholarship at the First-Tier, if such student at any time after June 30, 1993:

1. Completed a Home Study program that is not an Eligible High School; or

2. Graduated from a high school that is not an Eligible High School; or

3. Did not graduate from a high school, or did not complete a Home Study program, but rather, received a General Educational Development (GED) diploma that was awarded by the Technical College System of Georgia.

105.3. Second-Tier Requirements.

a. A student must have accumulated at least 30 semester or 45 quarter Attempted-Hours, but less than 60 semester or 90 quarter Attempted-Hours, and 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 Attempted-Hours (Second-Tier Checkpoint), in order to be eligible for HOPE Scholarship payment for the Second-Tier.

b. Eligibility at the First-Tier is not a requirement or prerequisite for eligibility at the Second-Tier. A student who was not previously eligible for the HOPE Scholarship may enter the HOPE Scholarship Program at the Second-Tier Checkpoint, if he or she meets all other HOPE Scholarship requirements.

c. A student who lost his or her HOPE Scholarship eligibility as a First-Tier recipient for failure to earn a 3.00 Postsecondary Cumulative Grade Point Average at the End-of-Spring Checkpoint or at his or her Three-Term Checkpoint and who has not yet reached the Second-Tier Checkpoint, can regain HOPE Scholarship eligibility for the Second-Tier if his or her Postsecondary Cumulative Grade Point Average is at least a 3.00 at the end of the school term he or she has accumulated at least 30 semester or 45 quarter Attempted-Hours (Second-Tier Checkpoint), and such student meets all other HOPE Scholarship requirements, provided the student has not previously lost HOPE Scholarship eligibility at any two Checkpoints since Fall term 2011.

d. A student is eligible to continue receiving the HOPE Scholarship at the Second-Tier through the school term he or she has accumulated 60 semester or 90 quarter Attempted-Hours (Third-Tier Checkpoint), unless such student first reaches an End-of-Spring Checkpoint with a Cumulative Grade Point Average less than a 3.00.

e. A student who earned a Postsecondary Cumulative Grade Point Average of at least a 3.00 at the end of the school term in which he or she has accumulated at least 30 semester or 45 quarter Attempted-Hours (Second-Tier Checkpoint) can gain HOPE Scholarship eligibility, at any time, during the Second-Tier, even though he or she did not meet one or more of the other eligibility requirements at the time he or she reached the Second-Tier Checkpoint. Such student must meet all of the eligibility requirements in order that he or she may receive HOPE payment for a specific school term.

105.4. Third-Tier Requirements.

a. A student must have accumulated at least 60 semester or 90 quarter Attempted-Hours, but less than 90 semester or 135 quarter Attempted-Hours, and 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 Attempted-Hours (Third-Tier Checkpoint), in order to be eligible for HOPE Scholarship payment for the Third-Tier.

b. Eligibility at the First-Tier and/or Second-Tier is not a requirement or prerequisite for eligibility at the Third-Tier. A student who was not previously eligible for HOPE Scholarship may enter the HOPE Scholarship Program at the Third-Tier Checkpoint, if he or she meets all other HOPE Scholarship requirements.

c. A student who lost his or her HOPE Scholarship eligibility as a First-Tier recipient, for failure to earn at least a 3.00 Postsecondary Cumulative Grade Point Average at the end of the school term he or she accumulated at least 30 semester or 45 quarter Attempted-Hours (Second-Tier Checkpoint), or at the End-of-Spring Checkpoint, or at his or her Three-Term Checkpoint can regain HOPE Scholarship eligibility for the Third-Tier if his or her Postsecondary Cumulative Grade Point Average is at least a 3.00 at the end of the term he or she accumulated at least 60 semester or 90 quarter Attempted-Hours (Third-Tier Checkpoint), and such student meets all other HOPE Scholarship requirements, provided the student has not previously lost HOPE Scholarship eligibility at any two Checkpoints since Fall term 2011.

d. A student who lost his or her HOPE Scholarship eligibility as a Second-Tier recipient, for failure to earn at least a 3.00 Postsecondary Cumulative Grade Point Average at the End-of-Spring Checkpoint and who has not yet reached the Third-Tier Checkpoint, can regain HOPE Scholarship eligibility for the Third-Tier if his or her Postsecondary Cumulative Grade Point Average is at least a 3.00 at the end of the term he or she accumulated at least 60 semester or 90 quarter Attempted-Hours (Third-Tier Checkpoint), and such student meets all other HOPE Scholarship requirements, provided the student has not previously lost HOPE Scholarship eligibility at any two Checkpoints since Fall term 2011.

e. A student is eligible to continue receiving the HOPE Scholarship at the Third-Tier through the school term he or she has accumulated 90 semester or 135 quarter Attempted-Hours (Fourth-Tier Checkpoint), unless such student first reaches an End-of-Spring Checkpoint with less than a Cumulative grade Point Average of 3.00.

f. A student who earned a Postsecondary Cumulative Grade Point Average of at least a 3.00 at the end of the school term in which he or she has accumulated at least 60 semester or 90 quarter Attempted-Hours (Third-Tier Checkpoint) can gain HOPE Scholarship eligibility, at any time, during the Third-Tier, even though he or she did not meet one or more of the other eligibility requirements at the time he or she reached the Third-Tier Checkpoint. Such student must meet all of the eligibility requirements in order to receive HOPE payment for a specific school term.

105.5. Fourth-Tier Requirements.

a. A student must have accumulated at least 90 semester or 135 quarter Attempted-Hours, but not more than 127 semester or 190 quarter Attempted-Hours, and 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 accumulated at least 90 semester or 135 quarter Attempted-Hours (Fourth-Tier Checkpoint), in order to be eligible for HOPE Scholarship payment at the Fourth-Tier.

b. Eligibility at the First-Tier, Second-Tier, and/or Third-Tier is not a requirement or prerequisite for eligibility at the Fourth-Tier. A student who was not previously eligible for the HOPE Scholarship may enter the HOPE Scholarship Program at the Fourth-Tier Checkpoint, if he or she meets all other HOPE Scholarship requirements.

c. A student who lost his or her HOPE Scholarship eligibility as a First-Tier recipient, for failure to earn at least a 3.00 Postsecondary Cumulative Grade Point Average at the end of the school term he or she accumulated at least 30 semester or 45 quarter Attempted-Hours (Second-Tier Checkpoint), or at the End-of-Spring Checkpoint, or at his or her Three-Term Checkpoint can regain HOPE Scholarship eligibility for the Fourth-Tier if his or her Postsecondary Cumulative Grade Point Average is at least a 3.00 at the end of the term he or she accumulated at least 90 semester or 135 quarter Attempted-Hours (Fourth-Tier Checkpoint), and such student meets all other HOPE Scholarship requirements, provided the student has not previously lost HOPE Scholarship eligibility at any two Checkpoints since Fall term 2011.

d. A student who lost his or her HOPE Scholarship eligibility as a Second-Tier recipient, for failure to earn at least a 3.00 Postsecondary Cumulative Grade Point Average at the end of the school term he or she accumulated at least 60 semester or 90 quarter Attempted-Hours (Third-Tier Checkpoint) or at the End-of-Spring Checkpoint, can regain HOPE Scholarship eligibility for the Fourth-Tier if his or her Postsecondary Cumulative Grade Point Average is at least a 3.00 at the end of the term he or she accumulated at least 90 semester or 135 quarter Attempted-Hours (Fourth-Tier Checkpoint), and such student meets all other HOPE Scholarship requirements, provided the student has not previously lost HOPE Scholarship eligibility at any two Checkpoints since Fall term 2011.

e. A HOPE Scholarship recipient at the Third-Tier, who failed to earn at least a 3.00 Postsecondary Cumulative Grade Point Average at an End-of-Spring Checkpoint and who has not yet reached the Fourth-Tier Checkpoint, can regain HOPE Scholarship eligibility if his or her Postsecondary Cumulative Grade Point Average is at least a 3.00 at the end of the term he or she accumulated at least 90 semester or 135 quarter Attempted-Hours (Fourth-Tier Checkpoint), provided the student has not previously lost HOPE Scholarship eligibility at any two Checkpoints since Fall term 2011.

f. A HOPE Scholarship recipient at the Third-Tier, who failed to earn at least a 3.00 Postsecondary Cumulative Grade Point Average at the end of the school term he or she accumulated at least 90 semester or 135 quarter Attempted-Hours (Fourth-Tier Checkpoint), cannot regain HOPE Scholarship eligibility.

g. A student who earned a Postsecondary Cumulative Grade Point Average of at least a 3.00 at the end of the school term in which he or she has accumulated at least 90 semester or 135 quarter Attempted-Hours (Fourth-

Tier Checkpoint) can gain HOPE Scholarship eligibility, at any time, during the Fourth-Tier, even though he or she did not meet one or more of the other eligibility requirements at the time he or she reached the Fourth-Tier Checkpoint. Such student must meet all of the eligibility requirements in order that he or she may receive HOPE payment for a specific school term.

h. A student is ineligible to continue receiving the HOPE Scholarship once he or she has accumulated 127 semester or 190 quarter Attempted-Hours, or has accumulated 127 semester or 190 quarter of Combined-Paid Hours, or has earned a Baccalaureate Degree, whichever of these limits occurs first.

i. A student who is Enrolled in a specific Undergraduate Degree program of study that is designed by the Eligible Postsecondary Institution to require more than 127 semester or 190 quarter hours to earn a Baccalaureate Degree is ineligible to continue receiving the HOPE Scholarship once he or she has accumulated 127 semester or 190 quarter Attempted-Hours, or has accumulated 127 semester or 190 quarter Combined-Paid Hours.

105.6. Grade Changes and Incompletes.

a. A student who obtains a grade change from his or her Eligible Postsecondary Institution is eligible to have his or her Postsecondary Cumulative Grade Point Average recalculated for purposes of HOPE Scholarship eligibility at the End-of-Spring Checkpoint, Three-Term Checkpoint, or an Attempted-Hours Checkpoint. A student previously denied HOPE Scholarship payment because his or her Postsecondary Cumulative Grade Point Average was less than a 3.00 at one of the Checkpoints is eligible for retroactive HOPE Scholarship payment if the grade change results in a Postsecondary Cumulative Grade Point Average of a 3.00 or higher.

b. Degree hours appearing on a student's transcript as "incomplete", and all other situations in which grades are temporarily unavailable (i.e., overlapping terms, late grades, late transcripts from Transient coursework, etc.) must be counted when determining the student's number of Attempted-Hours, but are not included in the calculation of Quality Points when determining the Postsecondary Cumulative Grade Point Average. A student's HOPE Scholarship eligibility should be evaluated at each Checkpoint, based on the Postsecondary Cumulative Grade Point Average at that Checkpoint.

c. If the student was denied, but later becomes eligible when the grade is reported, the student is eligible to receive HOPE Scholarship payment retroactively. The request for retroactive payment must be submitted to GSFC by the last day of the term following the term in which the grade change occurs. If the student was awarded at a Checkpoint, but later becomes ineligible when the incomplete grade is removed, then HOPE Scholarship awards must be canceled until the next Checkpoint and the student and the Commission must be notified by the institution that the

student owes a repayment of the HOPE Scholarship funds. The student owes the repayment even if it was awarded in a previous award year. The Eligible Postsecondary Institution is held harmless by the Commission for such repayment.

105.7. Attempted-Hours Limit.

A student is ineligible to receive HOPE Scholarship payment once he or she reaches the Attempted-Hours limit of 127 semester or 190 quarter hours.

Students Enrolled in specific Undergraduate Degree programs of study designed to require more than 127 semester or 190 quarter hours of coursework for graduation or First Professional Degree Programs are eligible for HOPE Scholarship payment for a maximum of 127 semester or 190 quarter Attempted-Hours.

105.8. Attempted-Hours Calculation.

a. Any credit hours for any coursework attempted by a student prior to high school graduation, or equivalent, are not counted as Attempted-Hours.

b. All credit hours for coursework attempted prior to high school graduation or equivalent, including Joint Enrollment coursework, Dual Enrollment coursework, Advanced Placement coursework, International Baccalaureate coursework, and coursework taken as part of the Accel program, but excluding coursework taken in accordance with the O.C.G.A. § 20-2-161.3, which were accepted as Degree credit when the student first entered an Eligible Postsecondary Institution at Tier 1 prior to the end of Summer 2011 term, must continue to be counted as Attempted-Hours, excluding grades if:

    1. The student did not qualify for the HOPE Scholarship as an entering freshman based solely upon his or her grade point average; and

    2. Credit hours for such coursework were accepted for degree credit when the student first entered an Eligible Postsecondary Institution at the First-Tier after high school graduation, prior to the end of Summer 2011 term, and

    3. The coursework was undertaken during a school term that began on or after July 1, 2008 or prior to that date if a waiver was granted by GSFC.

c. For a student who did not earn a high school diploma, or equivalent, and is otherwise eligible to enter the HOPE Scholarship at the Second-Tier or higher, Degree credit hours are counted as Attempted-Hours from the point the student stopped pursuing a high school diploma.

d. Degree credit hours must be counted as Attempted-Hours regardless of whether the course was completed, the hours were earned, or a letter grade was recorded on the student's official academic transcript.

e. Degree credit hours are counted as Attempted-Hours regardless of whether the student receives payment for those hours from the HOPE program.

f. Degree credit hours are counted as Attempted-Hours even if those hours were taken at a postsecondary institution outside the state of Georgia or at a postsecondary institution in a foreign country.

g. Degree credit hours are counted as Attempted-Hours even if those hours were taken at an unaccredited postsecondary institution.

h. Credit hours attempted as part of a technical Certificate or Diploma program of study are only counted as Attempted-Hours if any postsecondary institution ever accepted those hours as credit hours toward a Degree.

i. Courses that appear on a student's transcript with no credit hours must be assigned 3 semester or 5 quarter credit hours for the purpose of determining a student's Attempted-Hours, unless the Eligible Postsecondary Institution's official college catalog lists the course as a zero-credit course or the official college catalog lists the course as some value other than 0. In such case, the value listed in the college catalog must be used.

j. Continuing Education and Audit credit hours are not counted as Attempted-Hours.

k. Credit hours earned by examination or work experience are not counted as Attempted-Hours.

l. Credit hours earned as a result of military training or experience are not counted as Attempted-Hours, unless such hours were granted or accepted as Degree credit by any postsecondary institution that is separate and independent of the military.

m. Students transferring from Certificate or Diploma programs into Associate of Applied Science (AAS) or Bachelor of Applied Science (BAS) Degree programs receive a "block" of credit hours for coursework taken in the Certificate or Diploma program, rather than on a course-by-course basis. In order to determine the number of Attempted-Hours, the value of the "block" of credit hours is dependent upon the number of hours the student is required to complete in order to receive an AAS or BAS Degree. The Postsecondary Cumulative Grade Point Average is based on the cumulative grade point average for the full "block" of credit hours.

n. Credit hours earned for Learning Support coursework prior to Fall term 2011, are counted as Attempted-Hours if such coursework was attempted by the

student while he or she was Enrolled in a Degree program or while he or she was Enrolled in a Diploma or Certificate program and the coursework was accepted as credit toward the student's Degree program prior to Fall term 2011.

o. Credit hours earned for Learning Support in Fall term 2011 or later, or accepted for Degree credit in Fall 2011 or later, are not counted as Attempted-Hours.

105.9. Combined Paid-Hours Limit.

a. A student is ineligible to receive HOPE Scholarship 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, through FY2011, Accel Program Paid-Hours.

b. A maximum of 15 semester or quarter hours per term is counted toward the Paid-Hours limit, even if actual enrollment was greater than 15 hours.

105.10. Attainment of a Baccalaureate Degree.

Regardless of the number of Attempted-Hours or Combined Paid-Hours a student has accumulated, such student is ineligible for HOPE Scholarship payment if he or she has attained a Baccalaureate Degree of any kind, 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.

105.11. Seven Year Limit.

a. A student who has received HOPE Scholarship payment prior to Summer term 2011, may receive the HOPE Scholarship until June 30, 2015, as long as the student continues to meet all other eligibility requirements. This would include a student who has received a retroactive payment for a term from Fall term 2010 to Spring term 2011 based on *Section 105.2.k or 105.2.l* of these regulations or a student who has received late payment for a term from Fall term 2010 to Spring term 2011 based on *Section 105.6 or 113* of these regulations.

b. A student who has not received HOPE Scholarship payment prior to Summer term 2011, and meets all other eligibility requirements for HOPE Scholarship, may receive the HOPE Scholarship until seven years after his or her high school graduation date or the graduation date of the student's high school class if the student withdrew from high school prior to his graduation date, GED test date or Home Study program completion date, whichever occurs first.

1. The seven year period ends on June 30th of the seventh full year following the student's high school graduation date.

c. A student that serves on active duty in the military during the seven year period after his or her high school graduation (or equivalent) will have that active duty period of his military service added to the seven year limit.

d. A student who is Enrolled during a term which begins prior to his or her expiration of eligibility date and ends after his or her expiration of eligibility date may be paid for the term.

105.12. Ineligibility after Losing HOPE at Two Checkpoints.

A HOPE Scholarship recipient who has lost HOPE Scholarship Eligibility at two Checkpoints since Fall term 2011, cannot regain Eligibility. A student must have been receiving HOPE to be considered as having lost HOPE.

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106. Eligible and Ineligible Coursework.

106.1. Joint Enrollment and Dual Credit Enrollment Coursework.

a. A student is ineligible for HOPE Scholarship payment for Degree coursework attempted while participating in Joint Enrollment or Dual Credit Enrollment.

b. Coursework attempted while participating in Joint Enrollment or Dual Credit Enrollment must not be counted as Attempted-Hours.

c. Coursework attempted while participating in Joint Enrollment or Dual Credit Enrollment must be counted as Attempted-Hours, excluding grades, if:

    1. The student did not qualify for the HOPE Scholarship as an entering freshman based solely upon his or her grade point average; and

    2. Credit hours for such coursework was accepted for degree credit when the student first entered an Eligible Postsecondary Institution at the First-Tier after high school graduation, prior to the end of Summer term 2011.

    3. The Joint Enrollment or Dual Enrollment coursework was undertaken during a school term that began on or after July 1, 2008, or prior to that date if a waiver was granted by GSFC.

106.2. Learning Support Coursework.

A student seeking a Degree, who Enrolls in Learning Support coursework, is not eligible for HOPE Scholarship payment for such coursework. Such Learning Support credit hours must not count as Attempted-Hours and toward the Combined Paid-Hours limit except as specified in *Section 105.8.n*.

106.3. Coursework Exemptions.

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

106.4. Distance Learning Coursework.

a. A student participating in Distance Learning coursework is eligible to receive HOPE Scholarship payment if all other eligibility requirements are met. The institution offering the Distance Learning coursework must be an Eligible Postsecondary Institution.

b. A student taking coursework through more than one Eligible Postsecondary Institution during the same term is eligible to receive HOPE Scholarship

payment from each institution, provided the total Paid-Hours does not exceed 15 for the term. The payment procedure for Distance Learning students is the same as for Transient students. (Refer to *Section 106.5.* of these regulations).

106.5. Transient Coursework.

a. A Transient student is eligible to receive HOPE Scholarship payment if all other eligibility requirements are met. Both the Home Institution and the Host Institution must be Eligible Postsecondary Institutions.

b. The Host Institution awards HOPE Scholarship 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 Scholarship 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 Scholarship payment for Transient students to the Commission in the same manner it reports HOPE Scholarship payments for its regular students. 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 Scholarship 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.

106.6. Study Away Coursework.

a. A student Enrolled in a Matriculated status at an Eligible Postsecondary Institution may qualify for HOPE Scholarship payment while participating in a Study Away program.

b. A student's Eligible Postsecondary Institution, which is his or her Home Institution, must approve the Study Away program for credit toward the student's Degree program prior to the student's departure.

c. The HOPE Scholarship award must be the amount the student would normally receive at the Home Institution for an equal number of credit hours attempted.

d. HOPE Scholarship payment must take place through the Home Institution, unless the student is participating in a Study Away program administered by another Eligible Postsecondary Institution. In such situations, the Transient student process described in *Section 106.5.* of these regulations must be followed. The Home Institution may also coordinate the Study Away program through institutions that are not Eligible Postsecondary Institutions. For

example, the student's Home Institution may have an arrangement with an out-of-state institution's Study Away Program. In such cases, the HOPE Scholarship payment must take place through the Home Institution, which must be an Eligible Postsecondary Institution, and the student must be considered to be in a Matriculated status by his or her Home Institution.

106.7. Continuing Education and Audit Coursework.

A student is ineligible to receive HOPE Scholarship payment for coursework classified by his or her Eligible Postsecondary Institution as Continuing Education or Audit coursework, and such coursework is not counted as Attempted-Hours.

106.8. Board of Regents Test Preparation Coursework.

A student seeking a Degree at a USG Eligible Postsecondary Institution who is required to participate in coursework to prepare for the Board of Regent's Test (Examination) is eligible to receive HOPE Scholarship for such coursework. Credit hours attempted for such coursework must be counted as Attempted-Hours and included in the Combined Paid-Hours limit.

106.9. First Professional Degree Program.

A student enrolled in a First Professional Degree program may receive HOPE Scholarship payment until such student has attempted 127 semester or 190 quarter hours.

106.10. Total Withdrawal from Coursework.

A student is ineligible for HOPE Scholarship 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 type of identification. (Refer to *Section 110.1*.) Such coursework is not counted as Attempted-Hours.

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107. Student Application Requirements.

NEW

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

107.1. Application Forms.

a. In order to be considered for a HOPE Scholarship, a student must complete one of the following application forms:

   1. A GSFAPPS electronic application; or

   2. A paper HOPE Scholarship and Grant Application, (printable from the GAcollege411 website), or

   3. A current year FAFSA.

      a. A student who applies for HOPE Scholarship 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 Scholarship 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 107.1.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.

107.2. Application Deadline Date.

a. 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.

b. The application deadline date for a student who is seeking a retroactive HOPE Scholarship payment, (in accordance with *Section 105.2.*k.), is extended to the school term immediately following the school term in which he or she attempted 30 semester or 45 quarter hours. Such student must file an application on or before the last day of the school term that immediately follows the school term in which he or she attempted 30 semester or 45 quarter hours, or the student's withdrawal date, whichever occurs first.

c. The application deadline date for a student who is seeking HOPE Scholarship payment retroactively due to a grade change or a grade being reported for degree hours previously appearing on a student's transcript as incomplete (in accordance with *Section 105.6.a or 105.6.b)* is extended to the school term immediately following the school term in which the grade was changed or a grade was reported for degree hours previously appearing on a student's transcript as incomplete. Such student must file an application on or before the last day of the school term that immediately follows the school term in which the grade was changed or reported for degree hours, or the student's withdrawal date, whichever occurs first.

107.3. Application for Subsequent Years.

It is not mandatory, except as provided for in *Sections 107.1.a.3.and 107.1.b.* of these regulations, for a student to complete a new application for the HOPE Scholarship for each Award Year. However, Eligible Postsecondary Institutions may require their students to complete a new application each Award Year.

108. Award Requirements.

108.1. Tuition Awards.

a. The HOPE 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.

b. For 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.

c. If a student is receiving financial aid from a source other than the HOPE Scholarship and such aid is required by the donor to be applied to the students tuition charges, then the student's HOPE Scholarship award must be reduced to an amount equal to the students full tuition minus the other aid so that the HOPE Award Amount and the other aid do not exceed the total tuition cost.

d. A student's HOPE Scholarship 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.

108.2. Per Credit Hour Awards.

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

108.3. Awards Per School Term.

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

108.4. Student Notification of Award.

a. An Eligible Postsecondary Institution must notify each HOPE Scholarship recipient of the amount of HOPE funds he or she is awarded for the Award Year, and identify such funds as a HOPE Scholarship award.

b. A student who wishes to decline a HOPE Scholarship 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 the HOPE Scholarship award becomes final and irrevocable on the last day of the term for which HOPE Scholarship award was made.

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109. Invoicing Requirements.

109.1. Submission of Invoices.

a. Eligible Postsecondary Institutions may submit HOPE Scholarship 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.

109.2. Payment of Invoices.

HOPE Scholarship 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 Scholarship invoice.

109.3. Tuition Payments.

Upon receipt of HOPE Scholarship 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.

110. Student Refunds.

110.1. Calculation of Refunds.

a. If a 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 fund. A student is ineligible for the HOPE Scholarship for coursework from which he or she totally withdrew, if 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 Eligible Postsecondary Institution invoiced the Commission prior to a 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 apply the institution's refund policy, which may or may not be identical to the Federal Title IV Return of Funds policy, to the student's original HOPE 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 institutions' cost for the portion of the school term that the student was enrolled.

    1. 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.

    2. If the student only received HOPE funds, the Eligible Postsecondary Institution should return the funds determined to be owed to the HOPE 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.

    3. 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.

110.2. 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, garnishment of pay, loss of professional license, offset of lottery winnings, and offset of state tax refund.

110.3. 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 Scholarship Program who is called to emergency military duty during a school term that is already in progress should not have his or her HOPE Scholarship 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 Scholarship 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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111. Reconciliation Requirements.

111.1. 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 and amount invoiced by the institution, and the number of students awarded and 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.

111.2. 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.

111.3. 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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112. Records Retention Requirements.

112.1. Length of Retention.

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

112.2. 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 114*.) 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, registrar's 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.

112.3. 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.

113. 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.

113.1. Administrative Reviews.

The HOPE Scholarship regulations are applied to each student considered for HOPE Scholarship funds by appropriate officials of Eligible Postsecondary Institutions and by the administrative staff of the Commission. If a student believes a HOPE Scholarship 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 Scholarship 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 or the Commission. 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.

113.2. Requesting an Exception.

a. The Board of Commissioners of the Commission may grant a HOPE Scholarship award to a student who fails to meet the regulatory requirements for HOPE Scholarship funds in very limited and exceptional cases. 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 Scholarship award under any circumstances described in *Section 113.3*. No student has the right to appeal the denial of an Exception by the Board of Commissioners. Each individual HOPE Scholarship recipient is limited to one Exception, as granted by the Board of Commissioners, and such Exception shall only apply to one school term.

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.

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/her HOPE award. Requests for an Exception may be submitted to GSFC via US mail, email, or hand delivery. 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.

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

Board Meeting	**Submission Deadline**
First Friday in August	First Friday in July
First Friday in November	First Friday October
First Friday in February	First Friday in January
First Friday in May	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 students 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 Scholarship.

113.3. 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:

A1 Requests for an Exception may be granted for a HOPE Scholar who has reached a HOPE Scholarship Checkpoint and lost HOPE eligibility without yet earning a Postsecondary Cumulative Grade Point Average or a student who has reached an Attempted-Hours Checkpoint for entry into the HOPE Scholarship Program without yet earning a Postsecondary Cumulative Grade Point Average, if the student has at least a 3.00 Postsecondary Cumulative Grade Point Average after attempting 12 hours of coursework for which he or she received letter grades (A=4.00, B=3.00, C=2.00, D=1.00, F=0.0).

Such an Exception provides for HOPE Scholarship retroactive payment from the point at which the student lost HOPE eligibility or from the point at which the student reached an Attempted-Hours Checkpoint for entry into the program. Additionally, hours from which the student withdrew may be forgiven if extenuating circumstances (Serious Injury, Psychiatric Disorder, Serious Illness, or death of an Immediate Family Member, and/or step-parent, step-child or step-sibling are present 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 is extended.

A2 Requests for an Exception may be granted for a HOPE Scholarship recipient who has exceeded the Attempted-Hours and/or Paid-Hours limitations for the HOPE Scholarship, or has 15 semester hours or less

remaining to reach the Attempted-Hours and/or paid Hours limits, so that by forgiving the hours from which the student withdrew, the student's total length of eligibility for HOPE is extended, if:

1. the student completely withdrew from all courses during a term due to a Serious Illness, Psychiatric Disorder, Serious Injury, or death of an Immediate Family and/or step-parent, step-child or step-sibling; and

2. the student remains academically eligible to receive the HOPE Scholarship.

A3 Requests for an Exception may be granted for a HOPE Scholarship recipient who lost HOPE Scholarship eligibility at a HOPE Checkpoint due to a total withdrawal from a term, if:

1. the student completely withdrew from all courses during a term due to a Serious Illness, Psychiatric Disorder, Serious Injury, or death of an Immediate Family Member and/or step-parent, step-child or step-sibling and

2. the student has at least a 3.00 Postsecondary Cumulative Grade Point Average at the new Attempted-Hours Checkpoint (withdrawal hours not included).

By forgiving the Attempted-Hours and/or Paid-Hours from which the student withdrew, the student's Attempted-Hours Checkpoint is delayed by a term or terms and the student's total length of eligibility for HOPE is extended. In this circumstance, it is necessary to wait for another term or terms of grades to be posted to determine if the student achieves a 3.00 Postsecondary Cumulative Grade Point Average at the new Attempted-Hours Checkpoint (once hours are forgiven). If the student achieves a 3.00 Postsecondary Cumulative Grade Point Average after that term, the student is eligible to retain HOPE and to be reimbursed from the point at which the student lost HOPE eligibility.

A4 Requests for an Exception may be granted for a HOPE Scholarship recipient who 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, 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 is extended, if:

1. the student can show that no one else was able to provide the care; and

2. the student remains academically eligible to receive the HOPE Scholarship.

NEW

A5 Requests for an Exception may be granted for a HOPE Scholarship recipient who lost HOPE at an Attempted-Hours Checkpoint or exceeded the Attempted-Hours and/or Paid-Hours limitations during a term with a partial withdrawal if:

1. the student experienced a Serious Illness, Serious Injury, Psychiatric Disorder or death of an Immediate Family Member and/or step-parent, step-child or step-sibling, but did not completely withdraw from all courses because 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); and

2. the student has at least a 3.00 Postsecondary Cumulative Grade Point Average at the new Attempted-Hours Checkpoint (once hours are forgiven and all "incomplete" grades are reported).

By forgiving the Attempted-Hours and/or Paid-Hours from which the student withdrew, the student's Attempted-Hours Checkpoint is delayed by a term or terms and the student's total length of eligibility for HOPE is extended. In this circumstance, it is necessary to wait for another term or terms of grades to be posted to determine if the student achieves a 3.00 Postsecondary Cumulative Grade Point Average at the new Attempted-Hours Checkpoint (withdrawal hours not included). If the student achieves a 3.00 Postsecondary Cumulative Grade Point Average after that term, the student is eligible to retain HOPE and to be reimbursed from the point at which the student lost HOPE eligibility.

NEW

A6 Requests for an Exception may be granted for a HOPE Scholarship recipient who lost HOPE at an End-of-Spring or Three-Term Checkpoint with a Postsecondary Cumulative Grade Point Average greater than 0.00 but less than 3.00 or exceeded the Attempted-Hours and/or Paid-Hours limitations during a term with a partial withdrawal, if:

1. the student experienced a Serious Illness, Serious Injury, Psychiatric Disorder or death of an Immediate Family Member and/or step-parent, step-child or step-sibling, but did not completely withdraw from all courses because one or more of the student's professors 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); and

2. the student has at least a 3.00 Postsecondary Cumulative Grade Point Average at the next Attempted-Hours Checkpoint (withdrawal hours not included and all "incomplete" grades are reported).

By forgiving the Attempted-Hours and/or Paid-Hours from which the student withdrew the student's total length of eligibility for HOPE is extended. In this circumstance, it is necessary to wait for another term or terms of grades to be posted to determine if the student achieves a 3.00 Postsecondary Cumulative Grade Point Average at the next Attempted-Hours Checkpoint (withdrawal hours not included).

A7 Requests for an Exception may be granted for a HOPE Scholarship 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 Attempted-Hours and/or Paid-Hours from which the student withdrew, the student's total length of eligibility for HOPE 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 Scholarship.

113.4. Guidelines for Denial of an Exception Request.

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:

D1 If it is Mathematically Impossible for the student to have at least a 3.00 Postsecondary Cumulative Grade Point Average at the new 30- 60- or 90- semester-hour (45- 90- or 135-quarter-hour) HOPE Scholarship Checkpoint, even after withdrawal hours are forgiven.

D2 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 Scholarship.

D3 If the basis of the request is the diagnosis of or presence of a learning disability.

D4 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.

D5 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.

D6 If the basis of the request is student-data submitted to the Commission by a student's high school for purposes of determining the student's eligibility for a HOPE Scholarship.

NEW

D7 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 Scholarship funds during the term of withdrawal.

D8 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.

D9 If the basis of the request is a reason other than those specifically listed in *Section 113.3*. of these regulations.

D10 If the request seeks an Exception from the laws governing the HOPE Program.

NEW

D11 If the student is still beyond the Attempted-Hours and/or Paid-Hours limit even if the hours from which the student withdrew are forgiven.

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114. Compliance Reviews.

114.1. Compliance Review Policy.

The Commission shall conduct Compliance Reviews of Eligible Postsecondary Institutions participating in the HOPE Scholarship 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*.

114.2. Compliance Review Process.

The Commission selects a sampling of the institution's HOPE Scholarship 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 Scholarship 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 112*.)

a. The Commission will exclude from review the Residency determinations as they relate to *Sections 104.2.a. and 104.2.b.,* but not *Sections 104.2.d., 104.2.e., and 104.2.f.* and Satisfactory Academic Progress (SAP) determinations, made for HOPE 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 awards. Such certification must be submitted annually to the Compliance Department of Georgia Student Finance Commission in the format required by the Commission.

   Failure to provide such certification will result in a review of Residency determinations and SAP determinations made for HOPE recipients in the selected sample.

114.3. 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 Scholarship, the amount of such scholarship 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 Scholarship award shall be guilty of a misdemeanor.

If later evidence, not available at the time of awarding, indicates that a student should not have received the HOPE Scholarship payment, then all future HOPE Scholarship awards must be canceled. The Eligible Postsecondary Institution is held harmless by the Commission, if the 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 is 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 repayment is paid in full, in accordance with *Section 110.2.* If the student's file is determined, by the Commission, not to be adequately documented during a Compliance Review, then the Eligible Postsecondary Institution may be responsible for the repayment.