

# **Georgia HERO Scholarship Program**

## **REGULATIONS – 800.**

**2021 - 2022 Award Year**



**Effective Date – July 1, 2021**

**GSFA** | Georgia Student  
Finance Authority

2082 East Exchange Place  
Tucker, Georgia 30084

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## **802. Program Overview.**

The Georgia HERO (Helping Educate Reservists and their Offspring) Scholarship Program was created to provide financial aid to qualifying Georgia National Guard or United States Military Reservists, their spouses, and dependent children who seek a postsecondary education.

The maximum amount awarded to an eligible student is \$2,000 per Award Year and is subject to change during the Award Year. Eligible students must be enrolled, including graduate degree, at a University System of Georgia (USG) or Technical College System of Georgia (TCSG) institution or a private, non-profit institution eligible to participate in the HOPE program.

The Georgia General Assembly created the Georgia HERO Scholarship Program beginning with the 2005-2006 Award Year (State Fiscal Year 2006) and is funded by state appropriations. The program is administered by the Georgia Student Finance Authority (GSFA), in accordance with the Official Code of Georgia Annotated (O.C.G.A.) §20-3-485, et seq.

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

### **804. General Eligibility Requirements.**

#### **804.1. Citizenship.**

1. A student must be a United States Citizen, born or naturalized, or an Eligible Non-Citizen according to the Federal Title IV Regulations, as of the first day of classes of the school term for which the HERO Scholarship is sought.

#### **804.2. Georgia Residency.**

1. A student must be a Georgia Resident, as defined in these regulations, for 12 consecutive months immediately prior to the first day of classes of the school term for which funds are sought. Out of State Tuition Waivers granted by TCSG or USG do not fulfill the Georgia Residency requirement set out in this section.

#### **804.3. Enrollment Status.**

1. A student must be Enrolled in an Eligible Postsecondary Institution. Proprietary (for-profit) institutions are ineligible to participate in the HERO Scholarship Program.
2. A student must be fully admitted and classified as an Undergraduate or Graduate student by his or her Eligible Postsecondary Institution.
3. A student is eligible for the HERO Scholarship regardless of the number of credit hours for which he or she is Enrolled during a school term. Full-Time Enrollment is not a requirement.

#### **804.4. Satisfactory Academic Progress.**

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

#### **804.5. Selective Service Registration.**

1. A student must be in compliance with the United States Selective Service System requirements, where applicable, prior to the HERO Scholarship application deadline in order to be eligible for payment for such school term.

#### **804.6. Defaulted Loan or Refund Due.**

1. A student must not be in default on a Federal Title IV or State of Georgia educational loan, or owe a refund due to an over-award on a Federal Title IV or State of Georgia student financial aid program, or in any other way be in violation of Federal Title IV Programs Regulations or State of Georgia student financial aid program regulations. A student must meet the requirements of this section at the time funds are disbursed by GSFA on behalf of the student.
2. A student's federal default status can be resolved in one of five ways:
  - a. Completing an acceptable rehabilitation plan;
  - b. Having the loan repurchased by the original lender and the default status reversed;
  - c. Consolidating the loan out of a default status;
  - d. Receiving an approved Title IV debt settlement, to include a compromised settlement; or
  - e. Making monthly payments over a specified period agreed-upon with the lender of the Student's federal loan; each payment must be on time and voluntary to be in a satisfactory repayment plan.
3. A student's State of Georgia refund due status can be resolved by:
  - a. Paying the refund due to the Eligible Postsecondary Institution at which the over-award occurred. The Eligible Postsecondary Institution will then forward the payment to GSFA.
4. A student's default status on a State of Georgia loan can be resolved in one of two ways:
  - a. Paying off the defaulted loan in full; or
  - b. Complete an acceptable rehabilitation plan by making voluntary on time payments over a specified period agreed upon by GSFA.
5. If such student has repaid the defaulted loan or refund due in full, or resolved the default status, then he or she may be eligible to receive state scholarship, grant or loan funds beginning with the school term in which repayment was made in full but not retroactively for previous school terms.

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

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

the date of conviction to the completion of the following school term, in accordance with the Georgia Drug-Free Postsecondary Education Act of 1990, O.C.G.A. §20-1-20, et seq.

**804.8. Incarceration.**

1. A student is ineligible to receive HERO funds while incarcerated.

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## **805. Program Specific Eligibility Requirements.**

### **805.1. National Guard and Reservist Criteria.**

1. To be eligible to apply for the Georgia HERO Scholarship Program, a student must meet one of the following criteria:
  - a. The student must be a current member of the Georgia National Guard or the United States Military Reserves who completed at least one Qualifying Term of Service.
  - b. The student must be a child of a Parent who is or was a member of the Georgia National Guard or the United States Military Reserves who completed at least one Qualifying Term of Service.
  - c. The student must be the Spouse of a member of the Georgia National Guard or the United States Military Reserves who completed at least one Qualifying Term of Service.

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### **805.2. Length of Eligibility.**

1. A current member of the Georgia National Guard or United States Reserves who completed a Qualifying Term of Service is eligible for the equivalent of four Award Years of HERO assistance, for a total of \$8,000, based on available funding.
  - a. Such student must file an application for HERO with GSFA within two years (24 consecutive months) after the date he or she returned from the combat zone in which the Qualifying Term of Service was completed.
  - b. Eligibility for HERO funds shall terminate eight years (96 consecutive months) after the date that he or she returned from the combat zone in which the Qualifying Term of Service was completed.
2. A Child of a Parent who is or was a qualifying member of the Georgia National Guard or United States Reserves, is eligible for one Award Year of HERO assistance, based on available funding, for each Qualifying Term of Service that his or her Parent completed, not to exceed four Qualifying Terms of Service.
  - a. If such Parent did not serve the full cumulative period of 181 days, because he or she was evacuated from the combat zone due to severe injuries, the Child shall be deemed to have completed one Qualifying Term of Service, and therefore, is eligible for one Award Year of HERO assistance.
  - b. Such student must file an application for HERO with GSFA within two years (24 consecutive months) of enrollment at an Eligible Postsecondary Institution.

- c. Eligibility for HERO funds shall terminate eight years (96 consecutive months) after the Child became eligible for the HERO Program.
- 3. A Child of a Parent who is or was a qualifying member of the Georgia National Guard or United States Reserves, and such Parent was killed in a qualifying combat zone, or died as a result of injuries received in a qualifying combat zone, or received a 100 percent disability as a result of injuries received in a qualifying combat zone, is eligible for the equivalent of four Award Years of HERO assistance, based on available funding, regardless of the length of time his or her Parent was on active service in such combat zone.
  - a. Such student must file an application for HERO with GSFA within two years (24 consecutive months) of enrollment at an Eligible Postsecondary Institution.
  - b. Eligibility for HERO funds shall terminate eight years (96 consecutive months) after the Child became eligible for the HERO Program.
- 4. A Spouse of a member of the Georgia National Guard or United States Reserves who was killed in a qualifying combat zone or died as a result of injuries received in a qualifying combat zone or sustained a 100 percent disability in a qualifying combat zone, or became 100 percent disabled due to injuries received in a qualifying combat zone, is eligible for the equivalent of four Award Years of HERO assistance, based on available funding.
  - a. Such Spouse must file an application for the initial HERO Scholarship award no later than two years (24 consecutive months) following the death or 100 percent disability of the member.
  - b. Eligibility for HERO funds shall terminate eight years (96 consecutive months) after the initial award was issued.

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## **806. Eligible and Ineligible Coursework.**

### **806.1. Undergraduate and Graduate Coursework.**

1. A student, who meets all other requirements, is eligible for HERO payment for Undergraduate and/or Graduate coursework, except as specified herein.

### **806.2. Learning Support Coursework.**

1. A student who Enrolls in Learning Support (remedial) coursework is eligible for HERO payment for such coursework.

### **806.3. Exemption by Examination Coursework.**

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

### **806.4. Distance Learning Coursework.**

1. A student participating in Distance Learning coursework is eligible to receive HERO payment if all other eligibility requirements are met. The institution offering the Distance Learning coursework must be an Eligible Postsecondary Institution.
2. The payment process for Distance Learning students is the same as for Transient students (refer to *Section 806.5.*).

### **806.5. Transient Coursework.**

1. A Transient student is eligible to receive HERO payment if all other eligibility requirements are met. Both the Home Institution and the Host Institution must be Eligible Postsecondary Institutions.
2. The Host Institution awards HERO funds to the Transient student based on certification of eligibility from the Home Institution.
  - a. The Home Institution is responsible for verifying the eligibility of their Transient students.
    - i. Upon the student's return to the Home Institution, the Host Institution must provide information necessary for the Home Institution to determine continued HERO eligibility.
3. A student taking coursework at his or her Home Institution and a Host Institution during the same school term is eligible for HERO payment at both institutions, not to exceed a maximum of \$2,000 per Award term.

4. 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.

#### **806.6. Study Away Coursework.**

1. A student enrolled in a Matriculated status at an Eligible Postsecondary Institution may qualify for HERO payment while participating in a Study Away program.
2. The Home Institution must have a written agreement with the institution (foreign or non-Eligible Postsecondary Institution) or a single written arrangement with a study-abroad organization to represent an agreement between the Home Institution and the Host Institution at which a student is participating in a Study Away program.
3. The student's Home Institution must be an Eligible Postsecondary Institution, and must approve the Study Away program for credit toward the student's degree program prior to the student's departure.
4. The HERO award must be the amount the student would normally receive at the Home Institution for an equal number of credit hours attempted.
5. The Home Institution must maintain documentation of the student's actual tuition charges for the Study Away program at the Host Institution.
6. At the time of disbursement, a current enrollment verification for the student from the Host Institution indicating the courses and number of hours must be on file with the Home Institution.
7. The HERO payment must take place through the Home Institution.
8. The Eligible Postsecondary Institution must have on file the student's written or electronic permission to have any specific fees withheld from the HERO disbursement.
9. If the student is participating in a Study Away program via another Eligible Postsecondary Institution, then the process for Transient students must be followed (refer to *Section 806.5*).

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

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

**806.8. Total Withdrawal from Coursework.**

1. A student is ineligible for HERO payment for coursework from which he or she totally withdrew if, as a result, such coursework does not appear on the student's academic transcript as a "W" or any other code or identification for such a withdrawal (refer to *Section 810.1.*).

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## **807. Student Application Requirements.**

### **807.1. Application Forms.**

1. The applicant must complete the “student section” of a HERO Scholarship Program application and include the appropriate documentation as described below.
  - a. If the applicant is serving in the Georgia National Guard or United States Military Reserves, then official documentation of the applicant’s Qualifying Term of Service must be provided with the HERO application. The applicant must also submit acceptable documentation certifying his or her Deployed Date (refer to *Section 805.2.*).
  - b. If the applicant’s Parent served in the Georgia National Guard or United States Military Reserve, then the following documentation must be submitted with the HERO application:
    - i. Official documentation of the Parent’s Qualifying Term of Service; and
    - ii. Child’s certificate of live birth or legal adoption records; and
    - iii. Acceptable Documentation certifying his or her Parent’s Deployed Date (refer to *Section 805.2.*).
  - c. If the applicant’s Parent served in the Georgia National Guard or United States Military Reserves and was killed or received 100 percent disability as a result of injuries received in a combat zone, then the following documentation must be submitted with the HERO application:
    - i. Proof of death or disability of Parent; and
    - ii. Child’s certificate of live birth or legal adoption records; and
    - iii. Acceptable Documentation certifying the Parent’s Deployed Date.
  - d. If the applicant was or is the Spouse of a member of the Georgia National Guard or United States Military Reserves who was killed in a combat zone, or died as a result of injuries received in a combat zone, or became 100 percent disabled as a result of injuries received in a combat zone, then the following documentation must be submitted with the HERO application:
    - i. Proof of the member’s death or disability; and
    - ii. Proof of the legal marriage at the time of death or disability; and

- iii. Acceptable Documentation certifying the Deployment Date of the deceased or disabled member of the Georgia National Guard or United States Reserves.
2. The applicant must forward the application and all required documentation to the financial aid office of his or her Eligible Postsecondary Institution.
3. Upon receipt of a HERO application and documentation, the Eligible Postsecondary Institution must certify the applicant meets all of the following eligibility requirements, in accordance with these regulations, and forward the application and documentation to GSFA:
  - a. United States citizenship or Eligible Non-Citizenstatus
  - b. Georgia Residency
  - c. Enrollment status
  - d. Satisfactory Academic Progress
  - e. Selective Service registration
  - f. Loan Default and Refund
  - g. Drug-Free Postsecondary Education Act
4. GSFA shall review the completed application and all supporting documentation to verify and determine the applicant's eligibility and award. GSFA will notify the applicant and the Eligible Postsecondary Institution of the determination.

#### **807.2. Application Deadline Date.**

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1. A student must file the application and supporting documentation with the Eligible Postsecondary Institution's financial aid office 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.
  - a. The last day of the school term is the last day of classes or exams for the Eligible Postsecondary Institution, whichever occurs later. Supplemental documentation required by the Eligible Postsecondary Institution or GSFA to support or verify a student's application information may be submitted after the deadline without jeopardizing the student's eligibility (refer to *Section 805.2.*).
2. All submitted applications received by GSFA will be awarded on a first-come, first-served basis and based on available funds.

#### **807.3. Application Renewal.**

1. A student must file a new application, with the Eligible Postsecondary Institution's financial aid office, each Award Year. An application on file from a student for a previous Award Year cannot be used to renew a HERO Scholarship award for subsequent Award Years.
2. A student must have successfully completed the coursework of the prior school period, be a student in good standing, continue to meet Georgia Residency

requirements, and remain otherwise qualified to receive a HERO Scholarship award.



## **808. Award Requirements.**

### **808.1. Award Amounts for Full-Time Enrollment.**

1. The amount of aid payable to an eligible Full-Time student from the HERO Scholarship Program is a maximum of \$2,000 per Award Year or a maximum amount as specified by the state appropriations. The maximum award of \$2,000 per Award Year shall be provided on a school term basis, as follows:
  - a. \$1,000 per semester for any two semesters (summer, fall, or spring); or
  - b. \$700 per quarter for the first two quarters awarded for the Award Year and \$600 for the third quarter awarded for the Award Year.
2. No student shall receive payment for more than two semesters or three quarters for an Award Year.

### **808.2. Award Amounts for Part-Time Enrollment.**

1. The HERO Scholarship award amount for an eligible Part-Time student is payable on a pro rata basis, based upon the award amount for Full-Time students and the number of hours enrolled.
  - a. The Part-Time award is \$83.33 per semester hour, or \$55.55 per quarter hour, or as specified in the General Appropriations Act for students enrolled in Undergraduate coursework.
  - b. The Part-Time award is \$111.11 per semester hour or \$74.07 per quarter hour, or as specified in the General Appropriations Act for students enrolled in Graduate coursework.
  - c. No student shall receive payment for more than two semesters or three quarters for an Award Year.

### **808.3. Award Amount Reductions.**

1. The HERO Scholarship award amount for a student must be reduced accordingly if the student is receiving any other student financial aid from federal, state, institutional, or private sources, which in combination with the maximum HERO award amount would exceed the student's Cost of Attendance.

### **808.4. Awards Per School Term.**

1. The HERO Scholarship is available to students for the standard school terms of summer, fall, and spring semesters or summer, fall, winter, and spring quarters.
  - a. An Eligible Postsecondary Institution may combine mini-terms or modules to

form the equivalent of a standard semester or quarter.

- b. An Eligible Postsecondary Institution may offer Non-Standard Terms or Non-Terms, in which courses or modules are taken consecutively to form the equivalent of a standard semester or quarter. Regardless of the structure of an Eligible Postsecondary Institution's school terms, a student must not receive HERO payment for more than two semesters or three quarters per Award Year.

#### **808.5. Student Notification of Award.**

1. Eligible Postsecondary Institutions should notify each HERO recipient of the amount of HERO funds he or she is awarded for the Award Year, and identify such funds as a Georgia HERO Scholarship award.

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## **809. Invoicing Requirements.**

### **809.1. Submission of Invoices.**

1. Eligible Postsecondary Institutions may submit HERO invoices to GSFA as early as 15 calendar days prior to the first day of classes for the school term.

### **809.2. Payment of Invoices.**

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

### **809.3. Crediting of Student Accounts.**

1. Upon receipt of HERO payments from GSFA, the Eligible Postsecondary Institution shall credit the amount of payment on behalf of an eligible student to the account of the student.

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## **810. Student Refund Requirements.**

### **810.1. Calculation of Refund Amounts.**

1. 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 HEROfund.
  - a. A student is ineligible for the HERO funds for coursework from which he or she totally withdrew if, as a result, such coursework does not appear on the student's academic transcript as a "W" or any other code or identification for such a withdrawal.
  - b. If the Eligible Postsecondary Institution invoiced GSFA prior to the student's total withdrawal, then the institution must cancel the student's HERO award for that term through SURFER.
2. If applicable, the Eligible Postsecondary Institution must first apply the Federal Title IV Program return of funds policy for any federal aid the student may have received.
  - a. To determine the refund due to the HERO Program, the Eligible Postsecondary Institution must then apply the institution's refund policy, which may or may not be identical to the Federal Title IV Program return of funds policy, to the student's HERO award amount.
3. The Eligible Postsecondary Institution must determine the amount of the refund due back to the HERO Program. The amount of the HERO award not determined to be owed back to the HERO Program is retained by the Eligible Postsecondary Institution to cover the institution's cost for the portion of the school term that the student was enrolled.
  - a. The Eligible Postsecondary Institution must adjust the student's invoice in SURFER to the new award amount remaining after the refund is calculated within forty-five (45) calendar days of the determination.
  - b. If the Eligible Postsecondary Institution has sufficient funds on hand to return to GSFA the refund owed to the HERO Program, it should return the funds within forty-five (45) calendar days of the refund determination.
    - i. The Eligible Postsecondary Institution would then collect the refund amount from the student.
    - ii. The student should not be reported with a refund due status to GSFA since the funds have been repaid to GSFA.

4. If the Eligible Postsecondary Institution does not have sufficient funds on hand to return to GSFA the refund owed to the HERO Program, the student is considered to have a refund due to GSFA and the Eligible Postsecondary Institution must report the student to GSFA with a refund due status.

#### **810.2. Collection of Refund Amounts.**

1. A borrower in default or who owes a refund may be subject to garnishment of their pay, loss of a professional license, offset of lottery winnings, and/or offset of a state tax refund. GSFA will notify the borrower that they are in default and GSFA intends to proceed with any of the remedies listed in this subsection. The borrower will be given 60 days from the date of the notification to make the loan current or to put in place a satisfactory payment plan.

#### **810.3. Emergency Military Duty.**

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

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## **811. Reconciliation Requirements.**

### **811.1. Term Reconciliation.**

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

### **811.2. Fiscal Year End Reconciliation.**

1. Eligible Postsecondary Institutions must conduct the Fiscal Year End Reconciliation consisting of an official acknowledgement by an authorized school official, through SURFER verifying, student by student, the accuracy of each invoice submitted by the Eligible Postsecondary Institution with respect to the student's Enrolled-Hours, Paid-Hours, Learning Support, and program of study information, when applicable to the program.
  - a. Reconciliation certification forms must be completed and submitted electronically, through SURFER by July 15, immediately following the completion of the Fiscal Year for each State Program.
  - b. Return to GSFA any funds not utilized according to the Fiscal Year End Reconciliation by August 15 after the beginning of the new Fiscal Year.
  - c. GSFA will not issue any state scholarship or grant funds for the Fall term until the previous Fiscal Year End Reconciliation process is complete.
  - d. The Eligible Postsecondary Institution must have a procedure in place to ensure that the state scholarship and grant funds do not go to an unintended third party (i.e., state, postsecondary institution).

## **812. Records Retention Requirements.**

### **812.1. Length of Retention.**

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

### **812.2. Documentation.**

1. Documentation contained within an individual student's file or record, which supports the original determination of a student's eligibility, must be retained by the Eligible Postsecondary Institution and available for review by GSFA on the institution's campus, located within the State of Georgia, for at least three years after the most recent Award Year for which the student received HERO funds (refer to *Section 814.*).
2. Eligible Postsecondary 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.
  - a. Such documentation may include, but is not limited to, copies of permanent resident alien cards, Georgia state income tax returns, student financial aid applications, or academic transcripts from previous institutions.
    - i. Documentation regarding a student's eligibility is not limited to files, records, and other information received and maintained by the Eligible Postsecondary Institution.
    - ii. Documentation supporting a student's eligibility that is received and maintained by the Eligible Postsecondary Institution's admissions office, registrar's office, business office, or other administrative operations of the institution, must be available to GSFA for the purpose of Compliance Reviews.
3. It is the Eligible Postsecondary Institution's responsibility to resolve any inconsistencies or conflicting information within a student's records, prior to awarding or disbursing funds to the student.

### **812.3. Extended Retention.**

1. An Eligible Postsecondary Institution may be required to retain student records involved in a Compliance Review Audit, or investigation for more than the three-year retention period set forth in *Section 812.1*. If the three-year retention period expires before the issue in question is resolved, the Eligible Postsecondary Institution must continue to retain all associated records until resolution is reached.

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## **813. Administrative Reviews and Exceptions.**

### **813.1. Administrative Reviews.**

1. The HERO Scholarship Program Regulations are applied to each student considered for such funds by appropriate officials of Eligible Postsecondary Institutions and by the administrative staff of GSFA.
2. If a student believes a HERO Scholarship Program 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 GSFA.
3. In order for an Administrative Review to be considered, the student must submit a written request for an Administrative Review to GSFA's office within 45 calendar days of receiving notice of denial. If additional information is requested from the student, it must be provided within the time frame specified by GSFA.
  - a. GSFA will review the case and determine whether the rule or regulation was applied correctly and notify the student and Eligible Postsecondary Institution of the determination.
  - b. GSFA decides a case based only on documentation provided by the student, rather than a personal presentation.

### **813.2. Exceptions.**

1. Requests for Exceptions to the HERO Scholarship Program Regulations will not be considered, reviewed, or granted under any circumstances.

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## **814. Compliance Reviews.**

### **814.1. Compliance Review Policy.**

1. GSFA may conduct Compliance Reviews of Eligible Postsecondary Institutions participating in the HERO Scholarship Program in order to assess institutional administration of the program and compliance with the program's regulations. Compliance Reviews are conducted in accordance with GSFA's *Compliance Review Process and Procedures* document, which is available at [gsfc.georgia.gov](http://gsfc.georgia.gov), under *Information for School Compliance*.

### **814.2. Compliance Review Process.**

1. GSFA selects a sampling of the Eligible Postsecondary Institution's recipients, for the Award Year under review, and the Eligible Postsecondary Institution's files and records for the sample are examined to assure compliance. Records which document and support a student's eligibility must be available for review at the Georgia campus of the Eligible Postsecondary Institution (refer to *Section 812*).
  - a. GSFA will exclude Residency determinations as they relate to *Section 804.2*., and SAP determinations for HERO recipients, in the selected sample of any USG or TCSG institution that has submitted a signed certification to GSFC's Compliance Department by the President of the Eligible Postsecondary Institution that:
    - i. The Eligible Postsecondary Institution is in compliance with its policies and procedures in the determination and the administration of the financial aid award process relative to Residency requirements and SAP; and
    - ii. The Residency and SAP determinations have been fairly and consistently applied with respect to all students receiving the HERO award.
  - b. Such certification must be submitted annually to the Compliance Department of GSFA.
    - i. Failure to provide such certification will result in a review of Residency determinations and SAP determinations made for HERO recipients in the selected sample.

### **814.3. Institutional Repayment.**

1. If a recipient is determined, by GSFA, to be ineligible for payment, the Eligible Postsecondary Institution may be required to repay to GSFA the funds awarded to the recipient. The recipient, rather than the Eligible Postsecondary Institution, may owe the repayment to GSFA, as described in *Section 810.1*.
2. If evidence not available at the time of awarding indicates that a student should not have received HERO funds, then all future HERO awards for that student must be canceled.
  - a. The Eligible Postsecondary Institution is held harmless by GSFA if the student's file is appropriately documented with available evidence and it is determined by GSFA that the Eligible Postsecondary Institution was not at fault.
  - b. 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.).
3. The Eligible Postsecondary Institution must notify the student and GSFA of a refund due to GSFA.
4. The student will be ineligible to receive additional state aid from GSFA until the refund is paid in full, in accordance with *Section 810.2*.
5. If GSFA determines that the student's file is not adequately documented, the Eligible Postsecondary Institution may be solely responsible for the repayment.

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