

**HOPE Scholarship Program  
At Public Institutions**

**REGULATIONS – 100.**

**2008 - 2009 Award Year**



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Georgia Student Finance Commission  
2082 East Exchange Place  
Tucker, Georgia 30084

## **101. Table of Contents.**

Section	Page
101. Table of Contents	2
102. Program Overview	5
103. Definitions	6
104. General Eligibility Requirements.	20
104.1. Citizenship.	20
104.2. Georgia Residency.	20
104.3. Enrollment Status.	21
104.4. Satisfactory Academic Progress.	22
104.5. Selective Service Registration.	22
104.6. Defaulted Loan or Refund Due.	22
104.7. Georgia Drug-Free Act.	22
104.8. Incarceration.	22
105. Program Specific Eligibility Requirements.	23
105.1. First-Tier Requirements.	23
105.2. Second-Tier Requirements.	25
105.3. Third-Tier Requirements.	26
105.4. Fourth-Tier Requirements.	27
105.5. Extended Fourth-Tier Requirements.	28
105.6. Grade Changes and Incompletes.	29
105.7. Attempted-Hours Limit.	30
105.8. Combined Paid-Hours Limit.	30
105.9. Attainment of a Baccalaureate Degree.	30
106. Eligible Course Work.	32

106.1. Joint and Dual Enrollment Course Work.	32
106.2. Learning Support Course Work.	32
106.3. Exemption by Examination Course Work.	32
106.4. Distance Learning Course Work.	32
106.5. Transient Course Work.	33
106.6. Study Abroad Course Work.	33
106.7. Alternative Study Course Work.	34
106.8. Continuing Education Course Work.	34
106.9. Board of Regent's Test Preparation Course Work.	34
106.10. Total Withdrawal from Course Work.	35
107. Student Application Requirements.	36
107.1. Application Forms.	36
107.2. Application Deadline Date.	37
107.3. Application Renewal.	37
108. Award Requirements.	38
108.1. Tuition and Fees Awards.	38
108.2. Book Allowance Awards.	38
108.3. Awards Per School Term.	39
108.4. Student Notification of Award.	39
109. Invoicing Requirements.	40
109.1. Submission of Invoices.	40
109.2. Payment of Invoices.	40
109.3. Tuition and Fees Payments.	40
109.4. Book Allowance Payments.	40
110. Refund Requirements.	41

110.1. Calculation of Refund Amounts.	41
110.2 Collection of Refunds.	41
110.3 Unavailable Evidence.	41
110.4 Emergency Military Duty.	42
111. Reconciliation Requirements.	43
111.1. Term-Reconciliation.	43
111.2 Award-Year Reconciliation.	43
111.3 Return of Funds.	43
112. Records Retention Requirements.	44
112.1. Length of Retention.	44
112.2 Documentation.	44
112.3 Extended Retention.	44
113. Appeals and Exceptions.	45
113.1 Filing an Appeal or Exception.	45
113.2 Appeals.	45
113.3 Exceptions.	45
113.4. Authorized Staff Approval.	46
113.5 Authorized Staff Denials.	50
113.6 Special Criteria.	51
113.7 Early Admissions Evaluation Factors.	51
114. Program Reviews.	53

## **102. Program Overview.**

The HOPE Scholarship Program for students attending public 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, referred to in these regulations as the "Commission". Eligible students seeking a college degree from a University System of Georgia (USG) or Technical College System of Georgia (TCSG) institution may receive HOPE Scholarship funds covering the full cost of tuition, certain HOPE-approved mandatory fees, and a book allowance of up to \$100 per quarter or \$150 per semester. The HOPE Scholarship is a merit-based scholarship program with specific academic and grade point average requirements. The purpose of the HOPE Scholarship Program is to encourage academic achievement of Georgians attending secondary and postsecondary institutions in Georgia.

The Official Code of Georgia Annotated § 20-3-519.11 authorizes the Georgia Student Finance Commission to promulgate rules and regulations relating to the HOPE Scholarship Program that are not inconsistent with the provisions of 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 eight or nine months, during which a Full-Time student would normally be expected to complete the equivalent of two semesters or three quarters of instruction.

**“Accel Program”** means a program funded by the Georgia Lottery and administered by the Commission to assist students who are simultaneously attending an Eligible High School in Georgia and taking college Degree level courses from an Eligible Postsecondary Institution in Georgia as a Dual Credit Enrollment student.

**“Advanced Placement” or “AP”** means a nationwide program and testing service provided by the College Board that offers high school students the opportunity to receive credit from the college they will attend for standardized coursework taken while in high school in certain subject areas.

**“Alternative Study”** means coursework included in college Degree credit-earning programs of study that includes travel outside of the State of Georgia, but within the United States.

**“Appeal”** means a formal written request from a student to the Commission for a review to determine if a HOPE rule, policy, or regulation was applied correctly in the student’s specific case.

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

**“Attempted-Hours”** means the college Degree quarter or semester 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. If a student meets the academic requirements to be a HOPE Scholar, and is therefore eligible to enter the HOPE Scholarship Program at the First-Tier, then any college Degree level credit hours attempted by such student prior to high school graduation, or equivalent, are not considered to be Attempted-Hours for purposes of the HOPE Scholarship Program. If a student does not meet the academic requirements to be a HOPE Scholar, and is therefore ineligible for the HOPE Scholarship Program at the First-Tier, then any college Degree credit hours attempted by such student prior to high school graduation, or equivalent, which is accepted by the student’s Eligible Postsecondary Institution as college Degree credit, must be considered as Attempted-Hours for purposes of the HOPE Scholarship Program. 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 level credit hours are counted as Attempted-Hours at the point the student stopped pursuing a high school diploma.

Credit hours are considered Attempted-Hours regardless of whether or not the course was completed, the hours were earned, or a letter grade was recorded on the student's official academic transcript. Credit hours are considered Attempted-Hours regardless of whether or not the student receives payment for those hours from the HOPE Program. Credit hours attempted as part of a technical Certificate or Diploma program of study are only counted as Attempted-Hours if a postsecondary institution ever accepted those hours as credit hours toward a college Degree. Courses that appear on a student's transcript with no credit hours will 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. Credit hours earned by examination are not counted as Attempted-Hours. Continuing Education or Audit coursework is not considered Attempted-Hours.

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. 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.

**"Audit"** means when a student Enrolls for and attends 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 equivalent, or the Non-Term equivalent.

**"Award-Year Reconciliation"** means a final student-by-student reconciliation for an Award-Year conducted by Eligible Postsecondary Institutions with the Commission, immediately following the completion of an Award Year.

**"Baccalaureate Degree"** means a four-year college level Degree conferred on students by a postsecondary institution upon completion of a unified program of study in an academic discipline or major at the Undergraduate level.

Baccalaureate (Bachelor's) Degrees typically require a student to earn at least 120 semester or 180 quarter hours of college Degree credit.

**“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 (USG).

**“Book Allowance”** means HOPE funds made available to students attending TCSG and USG institutions to purchase books and/or supplies for their program of study.

**“Carnegie Unit”** means one unit of credit for a minimum of 150 clock hours of instruction at the secondary (high school) level.

**“Certificate”** means a credential indicating satisfactory completion of training in a technical program of study offered by a postsecondary educational institution, which is not an Associate or Baccalaureate Degree.

**“Checkpoint”** means the end of a school 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 include Attempted-Hours Checkpoints, End-of-Spring Checkpoints, and Three-Term Checkpoints.

**“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.

**“Combined Paid-Hours”** means the total number of Paid-Hours a student has accumulated from any combination of the HOPE Scholarship Program, plus HOPE Grant Program, plus Accel Program.

**“Continuing Education”** means postsecondary level 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. These expenses include Tuition, fees, room, meals, books, supplies, transportation, and personal expenses, as determined by the student's postsecondary institution and as defined by Federal Title IV Regulations.

**“Degree”** means a two-year Associate Degree or four-year Baccalaureate Degree conferred on students by a postsecondary institution upon completion of a unified program of study in an academic discipline or major at the Undergraduate level.

**“Diploma”** means a credential indicating satisfactory completion of training in a technical program of study offered by a postsecondary institution, which is not an Associate or Baccalaureate Degree.

**“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 Enrollment by a student in a postsecondary course in which an agreement has been established between his or her Eligible High School and an Eligible Postsecondary Institution wherein the student earns Carnegie Units of credit that count toward high school graduation requirements and also earns postsecondary credit hours for such coursework.

**“Early Admissions”** means an occurrence whereby a student, who has not yet graduated from high school, is fully admitted, Enrolled, and classified as a Full-Time Undergraduate student in a Matriculated status at an Eligible Postsecondary Institution and is pursuing an Associate Degree or Baccalaureate Degree, in lieu of a high school diploma.

**“Eligible High School”** means any private or public secondary educational institution in the State of Georgia that is authorized to grant high school diplomas and is, or within the last two years has been, 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, or the Georgia Private School Accreditation Council. If the institution is not located in the State of Georgia, then it must be currently accredited by the Southern Association of Colleges and Schools or one of the following regional or state entities: New England Association of Schools and Colleges, Middle States Association of Colleges and Schools, North Central Association of Colleges and Schools, Northwest Association of Accredited Schools (successor to the Northwest Association of Schools and Colleges), Western Association of Schools and Colleges, the Alabama Independent School Association, or the Florida Council of Independent Schools. Any high school not meeting the definition of an “Eligible High School” is considered to be an

ineligible high school for purposes of the HOPE Program. The provision, allowing eligibility if accredited by the Southern Association of Colleges and Schools within the last two years, is effective until December 31, 2010.

**“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 unit of the Technical College System of Georgia; or
- (3) a private independent 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 Graduate Level 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 a regional accrediting agency recognized by the United States Department of Education, which is not a Bible school or college (or, at the Graduate Level, a 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 has been in existence for at least ten years.

**“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 continue receiving payment for following school term(s). This Checkpoint applies to First-Tier HOPE Scholarship recipients who were Enrolled for 12 or more hours for at least one of their first three school terms and for all Second-Tier and above students, regardless of the number of hours of their Enrollment per school term. 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.

**“Extended Fourth-Tier”** means the fifth academic level or classification of a postsecondary student who continues to meet the HOPE Scholarship eligibility requirements. The Extended Fourth-Tier may or may not exactly correlate with the institution’s classification of the student as a college senior. An Extended Fourth-Tier student has accumulated at least 127 semester or 190 quarter Attempted-Hours, but no more than 150 semester or 225 quarter Attempted-Hours.

**“Exception”** means a formal written request from a student to the Commission for a review of the student’s extenuating circumstances and to request approval for HOPE payment, despite not having fulfilled the regulatory eligibility requirements of the HOPE payment, based upon the merits of such extenuating circumstances.

**“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 the postsecondary sophomore or junior year; (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 2008-2009 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.

**“First-Tier”** means, for purposes of the HOPE Scholarship, the first academic level or classification of a postsecondary student who is seeking a Degree. The First-Tier may or may not exactly correlate with the institution’s classification of the student as a college Freshman. A First-Tier student has accumulated less than 30 semester or 45 quarter Attempted-Hours.

**“Fourth-Tier”** means, for purposes of the HOPE Scholarship, the fourth academic level or classification of a postsecondary student who is seeking a Degree. The Fourth-Tier may or may not exactly correlate with the institution’s classification of the student as a college senior. 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.

**“Freshman”** means a first-year student who is fully admitted and Enrolled in a Matriculated status to seek a college Degree or technical Certificate or Diploma at an Eligible Postsecondary Institution. Typically, a student is classified as a Freshman until he or she has earned at least 30 semester or 45 quarter hours of postsecondary credit.

**“Full-Time”** means Enrollment for the equivalent of at least 12 quarter or 12 semester hours per school term of postsecondary credit of a Matriculated student at an Eligible Postsecondary Institution.

**“GCollege411”** means the State of Georgia’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 is domiciled in the State of Georgia and meets the in-state tuition requirements of the governing body of the USG or TCSG Eligible Postsecondary Institution he or she attends, as specified and limited by these regulations, or for students attending private Eligible Postsecondary Institutions, meets the criteria of the *Georgia Residency Requirements for State Programs Regulation*, as specified and limited by these regulations.

**“Graduate Level”** means the postsecondary academic level at which a student is Enrolled in a program of study beyond the Baccalaureate Degree level or in a non-undergraduate program of study.

**“GSFAPPS”** means the Georgia Student Financial Aid Application System, the Commission’s web-based electronic application process by which students can

apply for the scholarship, grant, and service-cancelable loan programs administered by the Commission.

**“Half-Time”** means a Matriculated student attending an Eligible Postsecondary Institution that is Enrolled for the equivalent of at least 6 quarter or 6 semester credit hours, but not more than 11 quarter or 11 semester credit hours during a school term.

**“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 graduated from high school, rather than when they began high school. Students who graduate within a school year are considered to be members of the same High School Graduating Class. A school year, at the high school level, begins with the Fall term and ends with the Summer term. A student who graduated from high school early during the 2006-2007 school year and prior to May 1, 2007, and began postsecondary work prior to May 1, 2007, is considered a member of the High School Graduating Class of 2006 and must meet the HOPE Scholar academic requirements for members of the High School Graduating Class of 2006. A student receiving his or her high school diploma on or after May 1, 2007, or who first Enrolled as Freshman at Eligible Postsecondary Institutions on or after May 1, 2007, is treated as a member of the High School Graduating Class of 2007, for purposes of HOPE Scholarship eligibility.

**“Home Institution”** means an Eligible Postsecondary Institution in which the student is normally 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 Home Study program governed by the requirements of § 20-2-690 (c) O.C.G.A. Such a student spends the majority of the conventional school day in or near his or her home in lieu of attendance at a conventional institution of education. The student’s parent or guardian must annually submit to the superintendent of the local public school district a Declaration of Intent to Utilize a Home Study program by September 1 or within 30 days after the program was established. A monthly attendance report must also be submitted to the superintendent at the end of each month. Failure to comply with the terms of the Code Section governing Home Study programs will mean that a student will not be granted Home Study student status for purposes of HOPE Scholarship eligibility.

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

accordance with the *HOPE Scholarship Program Regulations*, *HOPE Grant Program Regulations*, and *HOPE GED Grant Program Regulations*.

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

**“HOPE Grant Program” or “HOPE Grant”** means a State of Georgia student financial aid program that provides non-repayable 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 Official Code of Georgia Annotated § 20-3-519, funded by Georgia Lottery appropriations, and administered by the Commission in accordance with the *HOPE Grant Program Regulations*.

**“HOPE Scholar”** means: (1) a student who graduated from an Eligible High School located within the State of Georgia 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, or, (2) a student who graduated from an Eligible High School located outside of the State of Georgia 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, plus meeting the citizenship requirements, and Georgia Residency requirements at the time of high school graduation.

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

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

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

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

**“International Baccalaureate” or “IB”** means an international program and testing service provided by the International Baccalaureate Organization that offers high school students the opportunity to receive credit from the college they will attend for standardized coursework taken while in high school in certain subject areas.

**“Joint Enrollment”** means an arrangement whereby a secondary (high school) student is Enrolled in postsecondary coursework with an Eligible Postsecondary Institution while continuing to pursue his or her high school diploma, but the student’s high school has not agreed to accept the postsecondary coursework as credit toward the student’s high school graduation requirements.

**“Learning Support”** means remedial coursework provided by a postsecondary institution to a student whose entrance or placement evaluation has identified deficiencies in the student’s academic preparation or readiness for specific core curriculum postsecondary level coursework.

**“Mandatory Fees”** means HOPE-approved fees charged by an Eligible Postsecondary Institution to every student Enrolled at that institution, regardless of their program of study. Examples of Mandatory Fees are: activity, athletic, health and transportation. The Mandatory Fees are capped at the same amount allowed for the 2003-2004 Award Year at each institution. An Eligible Postsecondary Institution may increase or decrease the amount they charge their students for one or more of their HOPE-approved fees, or create a new fee that is mandatory for every student Enrolled at that institution, regardless of their program of study. The maximum total amount of the Mandatory Fees cannot exceed the total amount of the institution’s Mandatory Fees cap, as set in the 2003-2004 Award Year. For any eligible USG or TCGS institution established after January 1, 2004, the amount of the Mandatory Fees paid by HOPE Scholarship or HOPE Grant funds shall be equal to such amount or amounts initially approved for the new institution for its first year of operation, by action of the Board of Regents or the Technical College System of Georgia.

**“Mathematically Impossible”** means a situation which assumes the student will make all “A’s” during the next school 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 in an Eligible Postsecondary Institution in a unified academic program of study leading to 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 school 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 quarter or semester credit hours attempted by a student, for which he or she received payment from the HOPE Scholarship Program, HOPE Grant Program, and/or Accel Program. (Refer to the definition of Paid-Hours in the *HOPE Grant Program Regulations* and the *Accel Program Regulations*.) 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 any combination of the HOPE Scholarship, HOPE Grant, and Accel Program, referred to in these regulations as the Combined Paid-Hours limit. 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 for purposes of the Combined Paid-Hours limit.

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

**“Postsecondary Cumulative Grade Point Average”** means the calculation of grades earned at the college Degree level 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 must be included in the calculation, but not the corresponding grades, if such credit hours are accepted by the student’s Eligible Postsecondary Institution.

**“Program 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.

**“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. For example, a student completing a course worth 3 credit hours, who received a grade of "B" or 3.00, has earned 9.0 Quality Points (3 credit hours x 3.0 points = 9.0 Quality Points).

**“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. The standards must include a qualitative component, such as grades, and a quantitative component with a maximum time frame for completion of a student’s program of study (no longer than 150% of the length of the program).

**“Second-Tier”** means, for purposes of the HOPE Scholarship, the second academic level or classification of a postsecondary student who is seeking a Degree. The Second-Tier may or may not exactly correlate with the institution’s classification of the student as a college sophomore. 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.

**“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.

**“Study Abroad”** means postsecondary coursework that includes travel outside the United States and for which a student earns college Degree credit that is accepted toward a program of study leading to a college Degree. Study Abroad programs are also referred to by some institutions as International-Intercultural Studies.

**“SURFER”** means the Commission’s web-based system used by Eligible Postsecondary Institutions to electronically transmit and receive student data, HOPE 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 school 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 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 school term(s). Thereafter, the End-of-Spring Checkpoint must be applied to these students, rather than the Three-Term Checkpoint, regardless of the number of hours in which the student is Enrolled per school term.

**“Third-Tier”** means, for purposes of the HOPE Scholarship, the third academic level or classification of a postsecondary student who is seeking a Degree. The Third-Tier may or may not exactly correlate with the institution’s classification of the student as a college junior. 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.

**“Transient”** means a student is attending a Host Institution and is granted temporary admission for the purpose of completing coursework and earning postsecondary credit to transfer back to his or her Home Institution toward a Degree, Diploma, or Certificate.

**“Tuition”** means the charges to a student for 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 to provide non-repayable grant assistance to Georgia Residents who are Full-Time Undergraduate students attending: (1) private (nonprofit and proprietary) Eligible Postsecondary Institutions located in Georgia, or (2) college level juniors or seniors attending four-year public colleges or universities located outside the State of Georgia, but within 50 miles of Georgia’s borders. The TEG program is authorized by the Official Code of Georgia Annotated § 20-3-410 and is funded by state appropriations.

**“Undergraduate”** means a student who is in attendance at an Eligible Postsecondary Institution and who is in the process of obtaining an Associate Degree, Baccalaureate Degree, Diploma, or Certificate.

**“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. The institution must determine the withdrawal date in accordance with

the procedures set forth for determining withdrawal date under the Higher Education Act of 1965, as amended.

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## **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 preceding the first day of classes of the school term for which the HOPE Scholarship is sought. Full-time employees of the Free Trade Area of the Americas (FTAA), their spouses, and their dependent children are not exempt from this requirement.

### **104.2. Georgia Residency.**

- a. A First-Tier student attending a University System of Georgia institution or Technical College System of Georgia institution meets the Georgia Residency requirements for purposes of HOPE Scholarship eligibility if he or she met the requirements to be classified as a Georgia Resident at the time of high school graduation or completion of a Home Study program, according to the USG or TCSG in-state tuition policy, and for 12 consecutive months immediately preceding the first day of classes of the school term for which the HOPE Scholarship is sought. A First-Tier student attending a University System of Georgia institution or Technical College System of Georgia institution meets the Georgia Residency requirements for purposes of HOPE Scholarship eligibility if he or she did not meet the requirements to be classified as a Georgia Resident at the time of high school graduation or completion of a Home Study program, according to the USG or TCSG in-state tuition policy, but does meet such requirements for 24 consecutive months immediately preceding the first day of classes of the school term for which the HOPE Scholarship is sought. If the USG or TCSG institution, according to the USG or TCSG policy, grants a Military Personnel out-of-state tuition waiver for a First-Tier student and such student graduated from an Eligible High School in Georgia as a HOPE Scholar, then the student meets the Georgia Residency requirements of the HOPE Scholarship as a First-Tier student. No out-of-state tuition waiver, other than for Military Personnel and their dependents, qualify students for HOPE Scholarship eligibility.
- b. A student attending a USG or TCSG institution who is entering the HOPE Scholarship Program as a Second-Tier, Third-Tier, or Fourth-Tier student meets the Georgia Residency requirements for purposes of HOPE Scholarship eligibility if he or she meets the requirements to be classified as a Georgia Resident at the time of high school graduation or completion of a Home Study program, according to the USG or TCSG in-state tuition policy and for 12 consecutive months immediately preceding the first day of classes of the school term for which the HOPE Scholarship is sought. A student attending a University System of Georgia institution or Technical College System of Georgia institution who is entering the HOPE Scholarship Program as a Second-Tier, Third-Tier, or Fourth-Tier student meets the Georgia

Residency requirements for purposes of HOPE Scholarship eligibility if he or she did not meet the requirements to be classified as a Georgia Resident at the time of high school graduation or completion of a Home Study program, according to the USG or TCSG in-state tuition policy, but does meet such requirements for 24 consecutive months immediately preceding the first day of classes of the school term for which the HOPE Scholarship is sought. A student who receives an out-of-state tuition waiver, including a Military Personnel out-of-state tuition waiver, is not considered to be a Georgia Resident, according to the USG and TCSG in-state tuition policy, and therefore is ineligible to enter the HOPE Scholarship at the Second-Tier, Third-Tier, or Fourth-Tier.

- c. 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.a. or 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.
- d. 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 dependent children 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.

### **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 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.
- c. A student is eligible to receive HOPE Scholarship payment for the full number of hours Enrolled for the school term in which he or she reaches an

Attempted-Hours Checkpoint, the Attempted-Hours limit, or the Combined Paid-Hours limit.

#### **104.4. Satisfactory Academic Progress.**

A student must maintain Satisfactory Academic Progress in a program of study in accordance with the standards and practices used for Federal Title IV Programs by the Eligible Postsecondary Institution at which such student is Enrolled.

#### **104.5. Selective Service Registration.**

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

#### **104.5. 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. 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 by one of three ways: 1) complete an acceptable rehabilitation plan 2) having the loan repurchased by the original lender and the default status reversed, or 3) by consolidating the loan out of a default status.

#### **104.6. 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.

#### **104.7. Incarceration.**

A student seeking a college 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. College Degree credit hours attempted while Incarcerated must be counted as Attempt-Hours for purposes of HOPE eligibility.

## **105. Program Specific Eligibility Requirements.**

### **105.1. First-Tier Requirements.**

- a. 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.
- b. 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.
- c. 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 Senior 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.
- d. When calculating such 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.

- e. 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 105.1* of these regulations, also apply to any student previously designated as a HOPE Scholar from a High School Graduating Classes prior to the Class of 2007, if such student did not Enroll for the first time as a college Freshman 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.
- f. A First-Tier recipient 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.
- g. A First-Tier recipient 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.
- h. A First-Tier recipient 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.
- i. A First-Tier recipient 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.
- j. A Home Study student, who completed his or her Home Study program requirements in 1997 or later and a student who graduated from an in-state or out-of-state ineligible high school in 1997 or later, may retroactively receive HOPE Scholarship payment for the First-Tier if such student earns a 3.00 Postsecondary Cumulative Grade Point Average after having accumulated 30 semester or 45 quarter Attempted-Hours of college 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 an in-state or out-of-state ineligible high school. A student

who graduated from an in-state or out-of-state Eligible High School is ineligible for a retroactive HOPE Scholarship payment.

- k. A student who earned a score in the eighty-fifth percentile or higher on a standardized college admission test, such as the SAT or ACT, meets the academic requirements of the First-Tier, if such student:
  1. Completed a Home Study program, in lieu of graduating from an Eligible High School or ineligible high school; or
  2. Graduated from an ineligible high school; or
  3. Did not graduate from an Eligible High School or an ineligible 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 after June 30, 1993.

#### **105.2. Second-Tier Requirements.**

- a. A student must have accumulated at least 30 semester or 45 quarter Attempted-Hours, but not more 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 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.
- 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 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 that 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.

### **105.3. Third-Tier Requirements.**

- a. A student must have accumulated at least 60 semester or 90 quarter Attempted-Hours, but not more 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 the 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 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 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.
- d. A student who lost his or her HOPE Scholarship eligibility as a Second-Tier recipient, for failure to earn 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 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.
- 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 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 that time he or she reached the Third-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. 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 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 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.
- d. A student who lost his or her HOPE Scholarship eligibility as a Second-Tier recipient, for failure to earn 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 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.

- e. A HOPE Scholarship recipient at the Third-Tier, who failed to earn 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 3.00 at the end of the term he or she accumulated at least 90 semester or 135 quarter Attempted-Hours (Fourth-Tier Checkpoint).
- f. A HOPE Scholarship recipient at the Third-Tier, who failed to earn 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 that 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 eligible to continue receiving the HOPE Scholarship at the Fourth-Tier through the school term he or she has accumulated 127 semester or 190 quarter Attempted-Hours, unless such student first reaches an End-of-Spring Checkpoint with less than a 3.00.
- i. 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 occur first, except as provided for in *Section 105.5*.

#### **105.5. Extended Fourth-Tier Requirements.**

- a. A student may qualify to receive HOPE Scholarship payment at the Extended Fourth-Tier, if he or she meets the requirements of either of the following two categories of students, in addition to all of the requirements of *Parts b. c. and d.*
- 1. 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, may be eligible at the Extended Fourth-Tier for HOPE Scholarship payment at the Undergraduate Tuition rate, if approved by the Board of Regents and reported to the Commission. A student participating in such a program of study may be Enrolled in both Undergraduate and Graduate Level coursework and be simultaneously seeking a Graduate Level Degree and a

Baccalaureate Degree, but the HOPE Scholarship award must be based on the Undergraduate Tuition rate, not the Graduate Level Tuition rate.

2. A student who is no longer pursuing a Baccalaureate Degree and has never received a Baccalaureate Degree, but meets the definition of a student seeking his or her First Professional Degree may be eligible for HOPE Scholarship payment at the Extended Fourth-Tier. A student participating in such a program of study may be Enrolled in both Undergraduate and Graduate Level coursework, but must be seeking a Graduate Level Degree, rather than a Baccalaureate Degree. The HOPE Scholarship award is based upon the actual Tuition charged for the coursework.
  - b. A student must have accumulated at least 127 semester or 190 quarter Attempted-Hours, but not more than 150 semester or 225 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 127 semester or 190 quarter Attempted-Hours, in order to be eligible for HOPE Scholarship payment at the Extended Fourth-Tier.
  - c. Eligibility at the First-Tier, Second-Tier, and/or Third-Tier is not a requirement or prerequisite for eligibility at the Extended Fourth-Tier. Eligibility at the Fourth-Tier is a requirement or prerequisite for eligibility at the Extended Fourth-Tier. A student who was ineligible for HOPE Scholarship payment at the Fourth-Tier cannot enter the HOPE Scholarship Program at the Extended Fourth-Tier.
  - d. A student, who meets all other requirements, is eligible to continue receiving the HOPE Scholarship at the Extended Fourth-Tier through the school term he or she has accumulated 150 semester/225 quarter hours of Attempted-Hours or 150 semester/225 quarter hours of Combined Paid-Hours, unless such student first reaches an End-of-Spring Checkpoint with less than a 3.00, or accumulates Attempted-Hours or Combined Paid-Hours equal to the number of credit hours for which the program of study was designed, if such program of study was designed to require less than 150 semester/225 quarter hours, or earns a Baccalaureate Degree, whichever occurs first.

#### **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, for any 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 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. If the student was denied, but later becomes eligible when the grade is eventually reported, the student is eligible to receive HOPE Scholarship payment retroactively. If the student was awarded at a Checkpoint, but later becomes ineligible when the grade is eventually reported, 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 received since the previous Checkpoint. 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 190 quarter or 127 semester hours. However, students Enrolled in specific Undergraduate Degree programs of study designed to require more than 190 quarter or 127 semester hours of coursework for graduation and First Professional Degree Programs are eligible for HOPE Scholarship payment for a maximum of 225 quarter or 150 semester hours of Attempted-Hours, or the number of hours for which the program of study is designed for graduation, whichever is less.

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

A student is ineligible to receive HOPE Scholarship payment once he or she reaches the Combined Paid-Hours limit of 190 quarter or 127 semester hours from any combination of HOPE Scholarship Paid-Hours, plus HOPE Grant Paid-Hours, plus Accel Program Paid-Hours. However, students Enrolled in specific Undergraduate Degree programs of study designed to require more than 190 quarter or 127 semester hours of coursework for graduation and First Professional Degree Programs are eligible for HOPE Scholarship payment for a maximum of 225 quarter or 150 semester hours of Combined Paid-Hours, or the number of hours for which the program of study is designed for graduation, whichever is less.

#### **105.9. 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.

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## **106. Eligible Coursework.**

### **106.1. Joint and Dual Credit Enrollment Coursework.**

A student seeking a high school diploma who is simultaneously Enrolled in college Degree coursework as a Joint Enrollment or Dual Credit Enrollment student at a postsecondary institution is ineligible for HOPE Scholarship payment for such postsecondary college Degree coursework. If, upon graduation from high school, a student meets the academic requirements to be a HOPE Scholar, then the college Degree credit hours attempted and corresponding grades earned prior to high school graduation by Joint Enrollment or Dual Credit Enrollment are not counted as Attempted-Hours for purposes of HOPE Scholarship eligibility. If the student does not meet the academic requirements to be a HOPE Scholar, then the college Degree credit hours attempted prior to high school graduation by Joint Enrollment or Dual Credit Enrollment must be counted as Attempted-Hours for purposes of HOPE Scholarship eligibility, but not the corresponding grades, if such hours are accepted by the student's Eligible Postsecondary Institution.

### **106.2. Learning Support Coursework.**

A student seeking a Degree, who is required by his or her Eligible Postsecondary Institution to participate in Learning Support (remedial) coursework, is eligible for HOPE Scholarship payment for such coursework, if he or she meets all other HOPE Scholarship eligibility requirements. Such Learning Support credit hours must count as Attempted-Hours and toward the Combined Paid-Hours limit.

### **106.3. Exemption by Examination Coursework.**

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. The payment process for Distance Learning students is the same as for Transient students. (Refer to *Section 106.5.* of these regulations.) Distance Learning students are eligible to receive HOPE Scholarship payment from each TCSG or USG Eligible Postsecondary Institution to cover the Tuition charged by the institution, Mandatory Fees for Distance Learning students, and the Book Allowance.

- c. The Mandatory Fees award amount for a student who is only Enrolled in Distance Learning coursework for a school term at a USG institution, is limited to the HOPE-approved Technology Fee. The Mandatory Fees award amount for a student who is only Enrolled in Distance Learning coursework for a school term at a TCSG institution, is limited to the HOPE-approved Registration Fee. .

#### **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 she 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 their 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.

#### **106.6. Study Abroad 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 Abroad program. Study Abroad programs (International-Intercultural Studies programs) are college Degree credit-earning programs of study that include travel outside the United States.
- b. A student's Eligible Postsecondary Institution, which is his or her Home Institution, must approve the Study Abroad program for credit toward the student's Degree program prior to the student's departure.
- c. The HOPE Scholarship award for Tuition must be the amount the student would normally receive at the Home Institution for an equal number of credit hours attempted. The HOPE Scholarship Mandatory Fees award amount for Study Abroad students is limited to the fees normally charged by the institution to their Study Abroad students, and cannot exceed the institution's HOPE-approved Mandatory Fees amount, which is capped at the 2003-2004 Award Year amount. Study Abroad students are eligible to receive the Book Allowance, if they meet all other requirements for the Book Allowance.

- d. HOPE Scholarship payment must take place through the Home Institution, unless the student is participating in a Study Abroad program via another Eligible Postsecondary Institution serving as the student's Host Institution, then the Transient student process described in *Section 106.5* of these regulations must be followed. The Home Institution may also coordinate the Study Abroad 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 Abroad 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. Alternative Study Coursework.**

- a. A student Enrolled in a Matriculated status at Eligible Postsecondary Institution may qualify for HOPE Scholarship payment while participating in an Alternative Study program. Alternative Study programs are college Degree credit-earning programs of study that include travel outside the State of Georgia, but within the United States.
- b. A student's Eligible Postsecondary Institution, which is his or her Home Institution, must approve the Alternative Study program for credit toward the student's Degree program prior to the student's departure.
- c. The HOPE Scholarship award for Tuition must be the amount the student would normally receive at the Home Institution for an equal number of credit hours attempted. The HOPE Scholarship covers only Mandatory Fees normally charged to Alternative Study students. Alternative Study students are eligible to receive the Book Allowance, if they meet all other requirements for the Book Allowance.
- d. 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.

#### **106.8. 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.

#### **106.9. Board of Regent's 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.

**106.10 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.**

### **107.1. Application Forms.**

- a. A student must complete a GSFAPPS electronic application, or a paper HOPE Scholarship and Grant Application, (printable from the GAcollege411 website), or a current year Free Application for Federal Student Aid (FAFSA) in order to be considered for HOPE Scholarship payment. Paper HOPE applications must be forwarded to the Commission for input into the electronic GSFAPPS system. It is only necessary for a student to complete one of these three applications and no other form or application can serve as a substitute. 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.
  - b. 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 72 consecutive months following the application's approval date. The student's application will remain valid during the 72-month period, regardless of whether or not an institution submits a HOPE invoice to the Commission on behalf of the student during the 72-month period. Upon conclusion of the 72-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 72-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 72 consecutive months following the second application's approval date. The above stipulations of *Section 107.1. Part b.* 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.
1. If a student previously submitted an e-HOPE application, it will serve as a valid current Award Year application for HOPE, until November 30, 2011, when, at that time, all e-HOPE applications will expire. The e-HOPE application was the electronic process used to apply for HOPE, prior to GSFAPPS.
  2. If the Eligible Postsecondary Institution has a paper application on file that was completed before the 2006-2007 Award Year, and it was not submitted to the Commission for data-entry, the Eligible Postsecondary Institution may invoice the Commission, on behalf of the student, based upon that application, until November 30, 2011, when, at that time, all paper

applications completed before the 2006-2007 Award Year, that were not submitted to the Commission for data-entry, will expire.

- c. A student who applies for HOPE by completing and submitting a FAFSA must complete and submit a new FAFSA for each Award Year.

### **107.2. Application Deadline Date.**

A student must file the application online or 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. 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. The application deadline date for a student who is seeking a retroactive HOPE Scholarship payment, (in accordance with *Section 105.1.j.*), 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.

### **107.3. Application Renewal.**

It is not mandatory, except as provided for in *Section 107.1.b. and c.* 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 for renewal of the HOPE Scholarship.

## **108. Award Requirements.**

### **108.1. Tuition and Fees Awards.**

- a. The HOPE Scholarship covers Tuition and Mandatory Fees. The HOPE Scholarship award amount for Tuition must not be greater than the in-state Tuition rate for the specific program of study of the Eligible Postsecondary Institution. In addition, it must not be greater than the Undergraduate Tuition rate of the Eligible Postsecondary Institution, unless the student's program of study is approved as a First Professional Degree Program. Award amounts may include cents and must not be rounded. HOPE Scholarship funds awarded for Tuition and Mandatory Fees can only be applied to Tuition and Mandatory Fees, not other expenses such as room and board.
- b. If a student is receiving student financial aid from a source other than the HOPE Scholarship and such aid is required by the donor to be applied to the student's Tuition and Mandatory Fee charges, then the student's HOPE Scholarship award for Tuition and Mandatory Fees must be reduced by the amount of such aid.
- c. A student's HOPE Scholarship award amount for Tuition and Mandatory Fees is not reduced if the student is receiving financial aid that is applied to educational expenses other than Tuition and Mandatory Fees, even if the student's total aid exceeds his or her Cost of Attendance.

### **108.2. Book Allowance Awards.**

- a. The HOPE Scholarship award amount includes a Book Allowance payment of \$100 per quarter or \$150 per semester, if the student is at least Half-Time (six or more hours). A student who is Enrolled for less than Half-Time will receive \$50 per quarter or \$75 per semester.
- b. A student's eligibility for the Book Allowance is based on his or her Enrollment status at the end of the first day of classes of the school term. If a student withdraws from courses on or before the first day of classes, his or her eligibility for the Book Allowance is calculated by using the hours for which he or she was Enrolled at the end of the first day of classes. If a student adds coursework after the first day of classes, bringing his or her total hours to six or more, the student is eligible for a full Book Allowance payment. A student who Enrolls after the first day of classes is eligible for a Book Allowance based on the number of hours for which he or she Enrolled. An institution that Disbursed the Book Allowance to a student who later drops or withdraws from courses is held harmless if the award was correct at the time of disbursement.
- c. If a student is Enrolled in two or more programs of study (Degree, Certificate, Diploma, or any combination) within the same term at the same institution, he

or she shall only receive one Book Allowance award based on the total hours of Enrollment for that school term. A student Enrolled in two or more programs of study within the same school term at more than one Eligible Postsecondary Institution is eligible for a Book Allowance payment at each Eligible Postsecondary Institution.

- d. A student is eligible for the Book Allowance regardless of whether his or her Cost of Attendance or financial need is met or exceeded by other types or sources of student financial aid.
- e. Funds for the Book Allowance must be made available by the Eligible Postsecondary Institution to the student for the purchase of books and supplies. Book Allowance funds cannot be applied by the Eligible Postsecondary Institution to a student's direct charges, such as fees, room, and meals, unless the institution obtains written or electronic authorization from the student to do so.

### **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.**

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.

## **109. Invoicing Requirements.**

### **109.1. Submission of Invoices.**

Eligible Postsecondary Institutions may submit HOPE invoices to the Commission as early as 15 days prior to the first day of classes for the school term.

### **109.2. Payment of Invoices.**

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

### **109.3. Tuition and Fees Payments.**

Upon receipt of HOPE 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 and Mandatory Fees charges.

### **109.4. Book Allowance Payments.**

Funds for the Book Allowance must be made available to the student for the purchase of books and supplies. Book Allowance funds cannot be applied by the Eligible Postsecondary Institution to a student's direct charges, such as fees, room, and meals, unless the institution obtains written or electronic authorization from the student to do so.

## **110. Refund Requirements.**

### **110.1. Calculation of Refund Amounts.**

If the student officially withdraws, drops out, drops hours, is expelled, or otherwise fails to complete a period of Enrollment, and is entitled to a refund, a portion of such refund may need to be returned to the HOPE fund. A student is ineligible for the HOPE Scholarship for coursework from which he or she totally withdrew if, as a result, such coursework does not appear on the student's academic transcript as a "Withdrawal", or any other code or identification for such a withdrawal. If the institution invoiced the Commission prior to the student's total withdrawal, then the institution must cancel the student's HOPE award for that term, through the SURFER system.

If the student received Federal Title IV funds, in addition to HOPE funds, the institution must first apply the Federal Title IV Return of Funds policy for any federal aid received. To determine the refund to HOPE, the institution must then apply the institution's refund policy, if different from Federal Title IV Return of Funds policy, to the student's original HOPE award for Tuition and Mandatory Fees. The Book Allowance is not part of the refund calculation.

If the student received HOPE funds, but did not receive Federal Title IV funds, the institution must apply the institution's refund policy, if different from Federal Title IV Return of Funds policy, to the student's original HOPE award for Tuition and Mandatory Fees. The Book Allowance is not part of the refund calculation.

The Eligible Postsecondary Institution must determine the amount of the HOPE refund for Tuition and Mandatory Fee charges, post the refund on the student's record in the Commission's system within 45 days of the determination, and return that amount to the Commission at the time of the End-of-Year Reconciliation. The remainder of the HOPE award for Tuition and Mandatory Fees is retained by the institution to cover the institution's cost for the portion of the school term that the student was Enrolled.

### **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.

### **110.3. Unavailable Evidence.**

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 appropriately 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 refund is paid in full, in accordance with *Section 110.2*.

#### **110.4. Emergency Military Duty.**

A student who is a member of the United States Armed Services, National Guard, or Armed Forces Reserve 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 their 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 Tuition and Mandatory Fee charges to the HOPE account. If the Book Allowance has already been Disbursed to the student, then the Book Allowance funds do not have to be refunded. 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.

## **111. Reconciliation Requirements.**

### **111.1. Term-Reconciliation.**

A Term-Reconciliation must be conducted by the Eligible Postsecondary Institution near 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. Surplus 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 August 1, 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. This includes Book Allowance funds. 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).

## **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.**

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.

Such documentation may include, but is not limited to, copies of Permanent Resident Alien Cards, Georgia State Income Tax Returns, student financial aid applications and academic transcripts from previous institutions. Documentation regarding a student's eligibility is not limited to files, records, and other information received and maintained by the institution's Student Financial Aid Office. Documentation supporting a student's eligibility that is received and maintained by the institution's admissions office, registrars office, business office, and other administrative operations of the institution must be available to the Commission for the purpose of Program 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 institution may be required to retain student records involved in a program 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. Appeals and Exceptions.**

If a student wishes to Appeal a determination of eligibility made by an Eligible Postsecondary Institution or the Commission, or to request an Exception to these regulations, then he or she must follow the HOPE Scholarship Appeals and Exceptions process.

### **113.1. Filing an Appeal or Exception.**

In order for an Appeal or Exception to be considered, the student must write a request for an Appeal or an Exception to the Commission office within 45 days of receiving notice of denial. 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. Appeals.**

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 an Appeal with the Commission. 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.

### **113.3. Exceptions.**

In exceptional cases, the Board of Commissioners of the Commission has authorized the Commission staff to grant a HOPE Scholarship award to a student who fails to meet the regulatory requirements for HOPE Scholarship funds. The Board of Commissioners and authorized Commission staff have sole discretion to grant an Exception based on the circumstances provided by a student who is requesting an Exception. Provided below are the guidelines for granting Exceptions as authorized by the Board of Commissioners. No student has the right to have his or her request for an Exception considered by the Commission. No student has the right to a HOPE award under any of these circumstances. Rather, the Commission staff reviews the circumstances to determine if, in its sole judgment, a student may receive HOPE payment despite not having fulfilled the regulatory requirements for receiving the award. No student has the right to Appeal the denial of an Exception. Each individual HOPE recipient is limited to one (1) Exception, as granted by the Commission, and such Exception shall only apply to one (1) school term.

#### **113.4. Authorized Staff Approval.**

In the event that any of the circumstances outlined below are met, the Board of Commissioners authorizes the Commission staff to allow the student to continue to receive funding from the HOPE Scholarship Program. A summary of the determinations made by the staff, as outlined below as Guidelines A1-A11, shall be presented to the Public Policy and Law Committee of the Board of Commissioners for review and to the full Board for ratification. The Commission is expected to notify students of the Commission staff decisions within 21 days of the date of receipt of the letter.

Exceptions granted by applying Guidelines A1 - A11 or by applying the Special Criteria provision of these regulations may 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 or by Commission staff, as part of the HOPE Scholarship Appeals and Exceptions process. 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.

A1 Early Admission Exceptions may be granted so that a student becomes eligible to receive a HOPE Scholarship without having earned a high school diploma, when all required documentation, as outlined in these regulations, is received and:

- the student has completed the 11th grade; and
- the student has a high school grade point average through the 11th grade of at least a 3.20 on a 4.00 scale in the college preparatory core curriculum courses; and
- the student has a combined Verbal and Math SAT score of at least 1300 or an ACT score of at least 29.

With regard to an Early Admission Exception request, any request for an Exception from a student who has not yet completed the 11th grade, or who does not have a high school grade point average of at least a 3.20 on the 4.00 scale in the core curriculum courses of the college preparatory track, or who does not score at least 1300 on the SAT or 29 on the ACT must be evaluated by the staff using the "Early Admission Evaluation Factors" of *Section 113.7*.

A2 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, Serious Illness or Death of an Immediate Family Member) 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.

A3 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, so that by forgiving the hours from which the student withdrew, the student's total length of eligibility for HOPE is extended, if:

- the student completely withdrew from all courses during a term due to a Serious Illness, Serious Injury, or death in the Immediate Family; and
- the student has maintained a 3.00 Postsecondary Cumulative Grade Point Average or higher at all HOPE Checkpoints.

A4 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:

- the student completely withdrew from all courses during a term due to a Serious Illness, Serious Injury, or death in the Immediate Family; and
- the student has 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.

A5 Requests for an Exception may be granted for a HOPE Scholarship recipient who has been treated pharmacologically for a psychiatric disorder, 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:

- the student completely withdrew from all courses during the term in question and received pharmacological treatment during that term; and
- the student remains academically eligible to receive the HOPE Scholarship.

A6 (Intentionally left blank.)

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 provide temporary care for an Immediate Family member, 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:

- the student can show that no one else was able to provide the care; and
- the student remains academically eligible to receive the HOPE Scholarship.

A8 Early Admission Exception may be granted, so that a student becomes eligible to receive HOPE Scholarship funds without having earned a high school diploma, if all required documentation of Guideline A1, is received and the student was admitted by the Eligible Postsecondary Institution as an Early Admission student, and since such admission, the student has attempted at least 30 semester/45 quarter hours of college degree credit and has reached an Attempted-Hours Checkpoint with a 3.00 Postsecondary Cumulative Grade Point Average.

A9 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:

- the student experienced a Serious Illness, Serious Injury, or Death in the Immediate Family, 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

- the student has 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.

A10 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 due to a total withdrawal from a term, if

- the student completely withdrew from all courses during a term due to a Serious Illness, Serious Injury, or death in the Immediate Family; and
- the student has a 3.00 Postsecondary Cumulative Grade Point Average at the next Attempted-Hours Checkpoint (withdrawal hours not included).

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).

A11 Requests for an Exception may be granted for HOPE Scholarship recipients 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:

- the student experienced a Serious Illness, Serious Injury, or Death in the Immediate Family, 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

- the student has 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).

### **113.5. Authorized Staff Denials.**

Commission staff is authorized to deny a request for an Exception as outlined below in Guidelines D1-D9. The Commission should notify the student of the decision within 21 days of the date of receipt of the letter.

- D1      Regardless of the extenuating circumstances, a request for an Exception shall be denied if it is Mathematically Impossible for the student to have 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      Regardless of the extenuating circumstances, a request for an Exception may be denied 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      Requests for an Exception shall be denied when the basis of the request is the diagnosis of or presence of a learning disability.
- D4      Requests for an Exception shall be denied when the basis of the request is the Serious Injury, Serious Illness, or Death of a family member if the family member is not an Immediate Family member.
- D5      Requests for an Exception shall be denied when the basis of the request is an automobile accident, which damaged the student’s car but did not injure the student severely enough to cause the student to withdraw from classes.
- D6      (Intentionally left blank.)
- D7      Requests for an Exception shall be denied if a student who has been diagnosed with a psychiatric disorder was not treated pharmacologically for the psychiatric disorder.

- D8 Requests for an Exception shall be denied when a student who withdrew from all courses during a term to provide temporary care for an Immediate Family member if other family members could have provided the care or if the student is no longer academically eligible to receive the HOPE Scholarship.
- D9 Requests for an exception shall be denied if the student did not completely withdraw from the term in question, except as provided for by Approval Guidelines A9 and A11.

### **113.6. Special Criteria.**

The Board of Commissioners recognizes that, from time to time, there will be a request for an Exception that does not fit into any category of the Guidelines outlined above, or merits treatment that exceeds the Appeals and Exceptions provisions. In such circumstances, the staff is authorized to make a determination using their own judgment to grant a Special Criteria Exception. The staff shall inform the Public Policy and Law Committee of the Board of Commissioners of their actions, in summary form, at the next Committee meeting. The Committee may provide the staff with guidance regarding treatment of similar circumstances in the future or reverse the staff's denial of a request for an Exception, thereby awarding the student.

The Special Criteria provision is not intended to bestow the Board of Commissioners or Commission staff with carte blanche or unconditional authority to grant Exceptions without regard to precedence or the restrictions of these regulations.

### **113.7. Early Admissions Evaluation Factors.**

- a. The student's letter should fully explain the circumstances of the request for an Exception and should reflect the maturity of a college Freshman. The list of honors should demonstrate the student's status as an exceptional young person.
- b. The letter from the principal or headmaster must convince the Commission staff that the student is academically and emotionally prepared to be successful in college and that the student will or would have graduated from high school as a HOPE Scholar.
- c. All transcripts beginning with the 9th grade and including all schools attended must be received. All schools attended must be approved as accredited schools eligible to identify HOPE Scholars. The transcripts should convince the Commission staff that the student has successfully completed sufficient academic or core coursework to demonstrate that he or she is easily capable of completing the high school requirements with a "B" or higher average in the core curriculum subjects.

- d. Postsecondary academic transcripts must be official copies. The coursework taken and the grade earned should convince the Commission staff that the student is capable of successfully doing college level work. Letters of recommendation from postsecondary officials should not only promote the student's academic ability but also reflect the student's social maturity level.
- e. The letter from the Admissions Office should clearly state that the college is fully accepting the student as an Early Admission student, though the student has not yet completed the high school graduation requirements or does not plan to ever complete the high school graduation requirements.

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#### **114. Program Reviews.**

The Commission shall conduct Program 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. 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.*) If a recipient is determined to have been ineligible for payment, the institution may be required to repay to the Commission the HOPE Scholarship funds awarded to the recipient. The recipient, rather than the institution, may owe the repayment to the Commission, as described in *Section 110.3.* of these regulations.

Detailed information regarding the Commission's Program Review process and procedures is available on the [gsfc.org](http://gsfc.org) website, under *School and Lender Information - Compliance Documents.*

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