

HOPE GED Grant Program

REGULATIONS – 400.

2008-2009 Award Year



Effective Date – July 1, 2008



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

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402. Program Overview.

The HOPE GED Grant Program was created beginning with the 1993-1994 Award Year (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 "Commission". Georgia residents who earn a General Education Development (GED) high school equivalency diploma, granted by the Technical College System of Georgia, may receive a one-time award of \$500 toward their postsecondary educational costs. Eligible students must be seeking a technical Certificate/Diploma or Undergraduate college Degree from a Technical College System of Georgia or University System of Georgia institution, or seeking an Undergraduate college Degree from an eligible private college or university in Georgia. The purpose of the HOPE GED Grant Program is to encourage Georgia's GED recipients to pursue education beyond the high school level.

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 GED Grant 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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403. 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.

“Alternative Study” means course work 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.

“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 the course.

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

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

“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.

“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” the total number of postsecondary credit hours for which a student received payment (Paid-Hours) from any combination of the HOPE Scholarship, plus HOPE Grant, 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 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.

“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, auto/computer conferencing, and transmission by computer, Internet, open broadcast, closed circuit, cable, microwave, or satellite.

“Dual Credit Enrollment” means an arrangement whereby an agreement has been established between an Eligible High School and an Eligible Postsecondary Institution wherein a student Enrolls in postsecondary courses and earns postsecondary level credit hours and simultaneously earns Carnegie Units of credit that count toward his or her high school graduation requirements.

“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 currently 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, the Georgia Private School Accreditation Council, or the Southern Association of Independent Schools. If the institution is not located in the State of Georgia, then it must be currently accredited by the Southern Association of Colleges and Schools or one of the following regional or state entities: New England Association of Schools and Colleges, Middle States Association of Colleges and Schools, North Central Association of Colleges and Schools, Northwest Association of Accredited Schools (successor to the Northwest Association of Schools and Colleges), Western Association of Schools and Colleges, the Alabama Independent School Association, the Southern Association of Independent Schools, 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.

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

“Eligible Postsecondary Institution” means an institution that is:

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

Once any Eligible Postsecondary Institution has been approved by the United States Department of Education for participation in the Federal Title IV Programs and then such approval is suspended or revoked by the United States Department of Education; such institution is ineligible to participate in the HOPE programs until approval for participation in Federal Title IV Programs has been restored by the United States Department of Education.

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

“Exception” means a formal 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.

“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 U.S. 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-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.

“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.

“GED” means General Education Development diploma awarded by the Technical College System of Georgia.

“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 (independent) Eligible Postsecondary Institutions, meets the criteria of the *Georgia Residency Requirements for State Programs Regulations*, 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 degree program.

“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.

“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 administered by the Commission to provide non-repayable scholarship and grant assistance to residents of Georgia attending Eligible Postsecondary Institutions in Georgia. The components that comprise HOPE are the HOPE Scholarship Program, HOPE Grant Program, and HOPE GED Grant Program. HOPE is authorized by the Official Code of Georgia Annotated § 20-3-519, is funded by State of Georgia Lottery appropriations, and administered by the Commission in accordance with the *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, 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*.

“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.

“Joint Enrollment” means an arrangement whereby a secondary (high school) student is Enrolled in postsecondary level course work 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 course work as credit toward the student’s high school graduation requirements.

“Learning Support” means remedial course work 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 course work.

“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 course work 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 / semester credit hours used to determine when a student has reached the maximum number of hours for which a student can receive payment from any combination of the HOPE Scholarship, HOPE Grant, and Accel Program.

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

“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.

“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).

“Study Abroad” means postsecondary course work 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 and the Technical College System of Georgia.

“Term-Reconciliation” means an official acknowledgement by an authorized official of an Eligible Postsecondary Institution, at the end of each 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.

“Transient” means a student is attending a Host Institution and is granted temporary admission for the purpose of completing course work 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 the 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 private independent (nonprofit and proprietary) Eligible Postsecondary Institutions located in Georgia or 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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404. General Eligibility Requirements.

404.1. 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 GED Grant 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.

404.2. Georgia Residency.

- a. A student attending a Technical College System of Georgia or University System of Georgia institution meets the Georgia Residency requirements for purposes of HOPE GED Grant eligibility if he or she meets the requirements to be classified as a Georgia Resident according to the TCSG or USG in-state tuition policy for 12 consecutive months immediately preceding the first day of classes of the school term for which the HOPE GED Grant is sought. If the TCSG or USG institution, according to the TCSG or USG policy, grants a Military Personnel out-of-state tuition waiver, then the student meets the Georgia Residency requirements of the HOPE GED Grant. No out-of-state tuition waiver, other than for Military Personnel and their dependents, qualify students for HOPE GED Grant eligibility.
- b. A student attending a private Eligible Postsecondary Institution meets the Georgia Residency requirements for purposes of HOPE GED Grant eligibility if he or she meets the requirements to be classified as a Georgia Resident, according to the *Georgia Residency Requirements for State Programs* for 12 consecutive months immediately preceding the first day of classes of the school term for which the HOPE GED Grant is sought. However, if a student is the dependent child of a non-resident Military Personnel Parent, and such Parent is stationed in Georgia, then the student meets the residency requirements for purposes of the HOPE GED Grant.
- 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 GED Grant Program, regardless of the length of time they have resided in the State of Georgia.

404.3. Enrollment Status.

- a. A student must be Enrolled as Matriculated in a program of study leading to a technical Certificate or Diploma, or Undergraduate college Degree from an Eligible Postsecondary Institution.

- b. A student is eligible for the HOPE GED Grant 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.

404.4 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.

404.5. 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 GED Grant application deadline in order to be eligible for HOPE GED Grant payment for such school term.

404.6. Defaulted Loan or Refund Due.

A student must not be in default on a Federal Title IV or State of Georgia educational loan, nor owe a refund on a Federal Title IV or State of Georgia student financial aid program, nor in any other way be in violation of Federal Title IV Regulations or State of Georgia student financial aid program regulations. If such student has repaid the defaulted loan or refund due in full, or resolve the default status, then he or she may be eligible to receive HOPE GED Grant funds beginning with the school term in which repayment was made in full, but not retroactively for previous school terms. A student's default status can be resolved 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, 3) by consolidating the loan out of a default status.

404.6. Georgia Drug-Free Act.

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

404.8. Incarceration.

A student attending an Eligible Postsecondary Institution is ineligible for HOPE GED Grant payment while Incarcerated.

405. Program Specific Eligibility Requirements.

405.1. GED after June 30, 1993.

In order for a student to be eligible to receive HOPE GED Grant payment, such student must be the recipient of a GED that was granted by the Technical College System of Georgia after June 30, 1993.

405.2. Combined Paid-Hours Limit.

Receiving payment from the HOPE GED Grant Program does not impact the Combined Paid-Hours limit. Only the hours in which a student received payment (Paid-Hours) from the HOPE Grant, HOPE Scholarship, or Accel Program are included in the Combined Paid-Hours limit.

405.3. Expiration of Eligibility.

A student, who meets all other requirements, is eligible for HOPE GED Grant payment anytime within 24 consecutive months immediately following the date of issuance of his or her HOPE GED Grant voucher. After 24 consecutive months immediately following the date of issuance of a student's HOPE GED Grant voucher, the voucher expires, and such student is ineligible to receive HOPE GED Grant payment.

405.4. Other Disqualifying Factors.

- a. A student is ineligible for HOPE GED Grant payment if he or she began seeking a college Degree or received HOPE Scholarship payment prior to earning a GED diploma.
- b. A student is ineligible for HOPE GED Grant payment if he or she received a high school diploma prior to earning a GED diploma.
- c. A student who, in 1997 or later, completed his or her Home Study graduation requirements or graduated from a high school that is ineligible to participate in the HOPE Scholarship Program, and who received a HOPE GED Grant payment, must refund the full amount of the \$500 payment at the time he or she receives a retroactive HOPE Scholarship payment as a First-Tier recipient.
- d. A student who received a HOPE GED Grant payment must refund the full amount of the \$500 payment, if he or she returns to an Eligible High School, graduates as a HOPE Scholar, and is therefore otherwise eligible for the HOPE Scholarship as a First-Tier student.

405.5. In Combination with HOPE Grant.

A student, who meets all eligibility requirements of both the HOPE GED Grant and the HOPE Grant, is eligible to receive full payment from both programs for the same school term.

405.6. In Combination with HOPE Scholarship.

A student, who received HOPE GED Grant payment, and is later eligible to enter the HOPE Scholarship Program at a level beyond the First-Tier, is not required to refund his or her \$500 HOPE GED Grant payment.

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406. Eligible Course Work.

406.1. Joint and Dual Credit Enrollment Course Work.

A student seeking a high school diploma who is simultaneously Enrolled at an Eligible Postsecondary Institution as a Joint Enrollment or Dual Credit Enrollment student is not eligible to receive HOPE GED Grant payment.

406.2. Learning Support Course Work.

A Matriculated student who is required by his or her Eligible Postsecondary Institution to participate in Learning Support (remedial) course work, is eligible for HOPE GED Grant payment for the school term in which he or she is Enrolled in such course work.

406.3. Exemption by Examination Course Work.

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

406.4. Distance Learning Course Work.

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

406.5. Transient Course Work.

A student seeking a technical Certificate/Diploma or college Degree is ineligible for HOPE GED Grant payment as a Transient student.

406.6. Study Abroad Course Work.

A student seeking a technical Certificate or Diploma, or college Degree is ineligible to receive HOPE GED Grant payment for Study Abroad course work.

406.7. Alternative Study Course Work.

A student seeking a technical Certificate or Diploma, or college Degree is ineligible to receive HOPE GED Grant payment for Alternative Study course work.

406.8. Continuing Education and Audit Course Work.

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

406.9. Total Withdrawal from Course Work.

A student is ineligible for HOPE GED Grant payment for course work from which he or she totally withdrew if, as a result, such course work does not appear on the student's academic transcript as a "Withdrawal" or any other similar identification. (Refer to *Section 410.1.*)

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407. Student Application Requirements.

407.1. Application Forms.

- a. A student must complete a GSFAPPS electronic application, or the paper HOPE Scholarship and Grant Application, (printable from the GAcollge411 website), or current year Free Application for Federal Student Aid (FAFSA) in order to be considered for HOPE GED Grant 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 GED Grant 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 most recent application's approval date. The above stipulations of this paragraph 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 and accepted 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 institution may invoice the Commission, on behalf of the student, based upon that application, until November 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.

407.2. 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.

407.3. Application Renewal.

The HOPE GED Grant is non-renewable.

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408. Award Requirements.

408.1. Award Amount.

- a. The amount of a HOPE GED Grant payment is a one-time, non-renewable award of \$500.
- b. A student's HOPE GED Grant funds may be applied to any of his or her Cost of Attendance charges. If a student's Cost of Attendance budget cannot absorb the full \$500 award, the remaining HOPE GED Grant funds for the recipient may be carried forward to the following school term.

408.2. Awards Per School Term.

The HOPE GED Grant is available to students for the standard school terms of Summer, Fall, and Spring semesters or Summer, Fall, Winter, and Spring quarters. An institution may combine mini-terms or modules to form the equivalent of a standard semester or quarter. An institution may offer Non-Standard Terms or Non-Terms, in which courses or modules are taken consecutively to form the equivalent of a standard semester or quarter.

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409. Invoicing Requirements.

409.1. 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.

409.2. 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.

409.3. Cost of Attendance.

Upon receipt of HOPE GED Grant payment for a student from the Commission, the institution must credit the amount of payment on behalf of an eligible student to the student's account and may be applied to any of his or her Cost of Attendance charges. HOPE GED Grant funds for a recipient may be carried forward to the following school term, if the student's Cost of Attendance budget cannot absorb the full \$500 award. The Eligible Postsecondary Institution should only invoice the Commission for the exact amount the student is eligible to receive for the school term.

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410. Refund Requirements.

410.1. Calculation of Refund Amounts.

- a. If the student officially withdraws, drops out, drops hours, is expelled, or otherwise fails to complete a period of Enrollment, and is entitled to a refund, a portion of such refund may need to be returned to the HOPE fund. A student is ineligible for the HOPE funds for course work from which he or she totally withdrew if, as a result, such course work does not appear on the student's academic transcript as a "Withdrawal", or any other code or identification for such a withdrawal. If the institution invoiced the Commission prior to the student's total withdrawal, then the institution must cancel the student's HOPE award for that term, through the SURFER system.
- b. If 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 HOPE award amount.
- c. 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 HOPE award amount.
- d. The Eligible Postsecondary Institution must determine the amount of the HOPE refund, 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 is retained by the institution to cover the institution's cost for the portion of the school term that the student was Enrolled.

410.2. 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.

410.3. Unavailable Evidence.

If later evidence, not available at the time of awarding, indicates that a student should not have received the HOPE payment, 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 410.2.*

410.4. Emergency Military Duty.

A student who is a member of the U.S. Armed Services, National Guard, or Armed Forces Reserve receiving funds from the HOPE GED Grant Program who is called to emergency military duty during a school term that is already in progress should not have their HOPE GED Grant eligibility negatively impacted. If the Eligible Postsecondary Institution the student attends allows the student to totally withdraw and receive a grade such as "WM" for "military withdrawal" or the institution totally removes all grades for that term and corresponding credit hours from the student's records, the institution should return the full amount of the HOPE GED Grant award to the HOPE account. This will allow the student to receive the full benefit of his or her HOPE GED Grant award, upon returning from service and Enrolling once again at an Eligible Postsecondary Institution. This regulation may also be applied to students who are not members of the military but are otherwise unusually and detrimentally affected by the emergency activation of members of the military, as determined by the president of the Eligible Postsecondary Institution that such student is attending.

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411. Reconciliation Requirements.

411.1. 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.

411.2. 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.

411.3. Return of Funds.

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

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412. Records Retention Requirements.

412.1. Length of Retention.

An Eligible Postsecondary Institution shall maintain accurate records, books, documents and other evidence concerning the HOPE GED Grant Program, including, but not limited to individual student files for the later of three years after the Award Year in which the aid was awarded; or for such other period as required by an applicable statute, rule, or regulation; or such other time as requested in writing by the Commission.

412.2. 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 years after the most recent Award Year for which the student received HOPE funds. (Refer to *Section 414.*) 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.

412.3. 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.

413. Appeals and Exceptions.

413.1. Appeals.

The HOPE GED Grant Program Regulations are applied to each student considered for such funds by appropriate officials of Eligible Postsecondary Institutions and by the administrative staff of the Commission. If a student believes a HOPE GED Grant 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. In order for an Appeal to be considered, the student must write a request for an Appeal 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.

413.2. Exceptions.

Requests for Exceptions to the HOPE GED Grant Program Regulations cannot be considered, reviewed, or granted under any circumstances.

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414. Program Reviews.

The Commission shall conduct Program Reviews of Eligible Postsecondary Institutions participating in the HOPE 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 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 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 412.*) If a recipient is determined to have been ineligible for payment, the institution may be required to repay to the Commission the HOPE funds awarded to the recipient. The recipient, rather than the institution, may owe the repayment to the Commission, as described in *Section 410.3.* of these regulations.

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

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