

**LAW ENFORCEMENT PERSONNEL DEPENDENTS  
GRANT PROGRAM**

**REGULATIONS – 1100.**

**2009 - 2010 AWARD YEAR**



**Effective Date – July 1, 2009**



2082 East Exchange Place  
Tucker, Georgia 30084

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## **1102. Program Overview.**

The Law Enforcement Personnel Dependents (LEPD) Grant program was created to provide postsecondary educational grant assistance to the children of Georgia's Law Enforcement Officers, Firefighters, and Prison Guards who were Permanently Disabled or killed in the line of duty. The LEPD program began with the 1972-1973 Award Year, and is authorized by the Official Code of Georgia Annotated § 20-3-450 et. seq. The Georgia Student Finance Commission, referred to in these regulations as the "Commission", administers the LEPD Grant program.

An eligible student must attend a unit of the Technical College System of Georgia, a unit of the University System of Georgia, or an eligible private college or university located in Georgia. The LEPD Grant award amount received by students, and the total amount of State funds appropriated for the program, are established each year by the Georgia General Assembly during the preceding legislative session, and are subject to change during the Award Year. The maximum grant assistance, for which a Full-Time student is eligible, in accordance with the Official Code of Georgia Annotated § 20-3-450, is \$2,000 for the equivalent of one Academic Year, not to exceed a total of \$8,000 for the equivalent of four Academic Years.

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### **1103. 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 at least two semesters or three quarters of academic instruction.

**“Alternative Study”** means postsecondary credit-earning coursework made available by an Eligible Postsecondary Institution to its students in locations 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 rule, policy, or regulation was applied correctly in the student’s specific case.

**“Application Deadline Date”** means the last date on which a student can file an application for the program.

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

**“Audit”** means 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.

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

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

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

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

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

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

**“Cost of Attendance”** means the estimated expenses, both direct and indirect, which may be incurred by a student and the student’s family to finance the cost of earning a postsecondary education. These expenses include Tuition, fees, room, meals, books, supplies, transportation, and personal expenses.

**“Degree”** means an Associate Degree, Baccalaureate Degree, or Graduate Degree conferred on students by a postsecondary educational institution upon completion of an organized postsecondary program of study.

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

**“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.

**“Eligible Non-Citizen”** means a person who, in accordance with the Federal Title IV Program definition, is a United States permanent resident with a permanent resident alien card (I-551); or a conditional permanent resident alien card (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 or Approved School”** means:

- A unit of the University System of Georgia; or
- A unit of the Technical College System of Georgia; or
- A private 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 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
- 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, which is not a Graduate school or college of theology or divinity, which admits as regular students only persons who have a high school diploma, a General Education Development (GED) diploma, or a Degree from an accredited postsecondary institution, whose students are eligible to participate in the Federal Pell Grant program, which has been reviewed and approved for operation and for receipt of Tuition Equalization Grant funds by the Georgia Nonpublic Postsecondary Education Commission, and which has been in existence for at least ten years; or
- A nonprofit hospital school of nursing located in Georgia.

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

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

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

**“Firefighter”** means a person employed by the State of Georgia or by any county or municipal fire department in Georgia whose duties include extinguishing fires or investigating cases of suspected arson.

**“Freshman”** means a first-year student who is fully admitted and Enrolled in a Matriculated status to seek an Undergraduate Degree 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 level credit.

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

**“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 Board of Regents or the governing body of the 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”** means a postsecondary program of study beyond the Baccalaureate Degree.

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

**“Home Institution”** means an Eligible Postsecondary Institution in which the student is enrolled.

**“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.

**“Law Enforcement Personnel Dependents Grant” or “LEPD Grant”** means a State of Georgia postsecondary educational student aid program that provides non-repayable grant assistance to Georgia Residents who are the children of Georgia Law Enforcement Officers, Firefighters, or Prison Guards who were Permanently Disabled or killed in the line of duty.

**“Law Enforcement Officer”** means a sheriff, deputy sheriff, police officer, policeman, peace officer or member of the Georgia Department of Public Safety, or other official who has the power of arrest and who is responsible for enforcing the criminal laws of the State of Georgia or its political subdivisions.

**“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.

**“Matriculated”** means a student is fully admitted and Enrolled in an Eligible Postsecondary Institution in a unified academic program of study leading to a technical Certificate, technical Diploma, Undergraduate Degree, or Graduate Degree.

**“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.

**“Parent”** means the natural mother or father, or adoptive parent.

**“Permanent Disability” or “Permanently Disabled”** means physical incapacity to perform the duties of a Law Enforcement Officer, Firefighter, or Prison Guard as determined by the Public Employer, provided that such incapacity is likely to be permanent based upon current medical standards.

**“Prison Guard”** means a person employed by the State of Georgia or by a county, municipality, or other political subdivision of the State of Georgia whose principal duties relate to supervision and incarceration of persons accused or convicted of violation of the criminal laws of the State of Georgia or any county, municipality, or other political subdivision thereof.

**“Public Employer”** means the State of Georgia or any county, municipality, department, board, bureau, branch, agency, commission, authority, or political subdivision of the State of Georgia that provides services related to public safety.

**“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 Program regulations.

**“Study Abroad”** means postsecondary credit-earning coursework made available or approved by an Eligible Postsecondary Institution for its students in locations outside the United States.

**“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.

**“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.

**“Tuition”** means the charges to a student for instruction without regard to other fees (technology, lab, activity, athletic, health, book and supplies).

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

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

**“Withdrawal Date”** means the date the student withdraws, as determined by the institution. 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.

## **1104. General Eligibility Requirements.**

### **1104.1. Citizenship.**

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

### **1104.2. Georgia Residency.**

- a. A student attending a Technical College System of Georgia institution or University System of Georgia institution meets the Georgia Residency requirements for purposes of LEPD 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 funds are sought. If the TCSG or USG institution grants a Military Personnel out-of-state Tuition waiver for a Freshman student, and such student graduated from a high school located in Georgia, then the student meets the Georgia Residency requirements of the LEPD Grant Program. No other out-of-state Tuition waiver granted by TCSG or USG institutions qualifies a student for LEPD Grant eligibility.
- b. A student attending a private Eligible Postsecondary Institution meets the Georgia Residency requirements for purposes of LEPD 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 Regulations* for 12 consecutive months immediately preceding the first day of classes of the school term for which funds are sought. A Freshman student with a Military Personnel Parent, who is not a resident of Georgia, meets the Georgia Residency requirements if such student graduated from a high school located in Georgia and his or her Military Personnel Parent was stationed in Georgia at the time of the student's high school graduation.
- c. A student who was correctly determined to meet the Georgia Residency requirements for purposes of LEPD Grant eligibility and began receiving LEPD Grant payment, will continue to meet the Georgia Residency requirements for purposes of LEPD Grant eligibility, unless he or she has a break in Enrollment of two or more consecutive semesters or quarters and resides outside of Georgia for 12 or more consecutive months. If such student later returns to Georgia, he or she must re-establish Georgia Residency for 12 consecutive months before regaining 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 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 LEPD Grant eligibility.

#### **1104.3. Enrollment Status.**

- a. A student must be Enrolled in an Eligible Postsecondary Institution as a Matriculated student.
- b. A student must be Enrolled as a Full-Time student for the school term, in order to be eligible to receive LEPD Grant payment for the school term.

#### **1104.4. Satisfactory Academic Progress.**

A student must maintain Satisfactory Academic Progress as certified by his or her eligible postsecondary institution.

#### **1104.5. 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 Application Deadline Date in order to be eligible for payment for such school term.

#### **1104.6. Defaulted Loan or Refund Due.**

A student must not be in default on a Federal Title IV Program or State of Georgia educational loan, nor owe a refund on a Federal Title IV Program or State of Georgia student financial aid program, nor in any other way be in violation of Federal Title IV Program 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 LEPD 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 four 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, 4) by receiving an approved Title IV Program debt settlement.

#### **1104.7. Georgia Drug-Free Act.**

A student convicted for committing certain felony offenses involving marijuana, controlled substances, or dangerous drugs, is ineligible for payment from the date of conviction to the completion of the following school term, in accordance with the Georgia Drug-Free Postsecondary Education Act of 1990, O.C.G.A. § 20-1-24.

## **1105. Program Specific Eligibility Requirements.**

### **1105.1. Parent Eligibility Requirements.**

A student's Parent, who is a deceased or Permanently Disabled former Georgia Law Enforcement Officer, Firefighter, or Prison Guard, must have been an employee, either full or part-time, or an officer or official, whether elected or appointed, of a Public Employer on the date of the accident or event from which death or Permanent Disability resulted.

### **1105.2. Student Eligibility Requirements.**

- a. A student must be the natural or adopted child of a Georgia Law Enforcement Officer, Firefighter, or Prison Guard who is Permanently Disabled or was killed in the line of duty, or while performing the duties as to which he or she was assigned in the normal course of employment.
- b. If a student is the adopted child of such a Georgia Law Enforcement Officer, Firefighter, or Prison Guard, then any final order of adoption must have been issued prior to the date of the event or accident causing the death or Permanent Disability of such Parent.

### **1105.3. Award Limit.**

The maximum amount of cumulative LEPD Grant assistance for which a student is eligible to receive is \$8,000.

## **1106. Eligible and Ineligible Coursework.**

### **1106.1. Undergraduate and Graduate Coursework.**

A student in a Matriculated status, who meets all other requirements, is eligible for LEPD Grant payment for Undergraduate and/or Graduate coursework.

### **1106.2. Learning Support Coursework.**

A student who is required by his or her Eligible Postsecondary Institution to participate in Learning Support (remedial) coursework is eligible for LEPD Grant payment for such coursework, if he or she meets all other eligibility requirements.

### **1106.3. Coursework Exemptions.**

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

### **1106.4. Distance Learning Coursework.**

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

### **1106.5. Transient Coursework.**

- a. A Transient student is eligible to receive LEPD Grant 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 LEPD Grant funds to the Transient student based on certification of eligibility from the Home Institution. The Home Institution is responsible for verifying the eligibility of their Transient students. Upon the student's return to the Home Institution, the Host Institution must provide information necessary for the Home Institution to determine continued eligibility.

### **1106.6. Study Abroad Coursework.**

A student Enrolled in an Eligible Postsecondary Institution may qualify for LEPD Grant payment while participating in a Study Abroad program. The student's Home Institution must be an Eligible Postsecondary Institution, and must approve the Study Abroad program for credit toward the student's Degree program prior

to the student's departure. The payment must take place through the Home Institution, unless the student is participating in a Study Abroad program via another Eligible Postsecondary Institution, then the process Transient students is used. (Refer to *Section 1106.5*.) The Home Institution may coordinate the Study Abroad program through institutions that are ineligible to participate in the LEPD Grant Program. For example, the student's Home Institution may have an arrangement with an out-of-state institution's Study Abroad Program.

#### **1106.7. Alternative Study Coursework.**

A student Enrolled in an Eligible Postsecondary Institution may qualify for LEPD Grant payment while participating in an Alternative Study program. Alternative Study programs may be in conjunction with postsecondary institutions in other states. For example, a student's Home Institution, which must be an Eligible Postsecondary Institution in Georgia, may have an arrangement with a postsecondary institution in another state in which a group of their students spend the summer term at the out-of-state institution to take advantage of unique resources available to that institution. The Home Institution must approve the Alternative Study program for credit toward the student's Degree prior to the student's departure. The LEPD Grant payment must take place through the Home Institution.

#### **1106.8. Continuing Education and Audit Coursework.**

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

#### **1106.9. Total Withdrawal from Coursework.**

A student is ineligible for LEPD Grant payment for coursework from which he or she totally withdrew if, as a result, such coursework does not appear on the student's academic transcript as a "Withdrawal" or any other similar identification. (Refer to *Section 1110.1*.)

## **1107. Student Application Requirements.**

### **1107.1. Initial Application.**

- a. The student must obtain from the Commission a *Preliminary Information and Documentation Report*, and return the completed form to the Commission, along with any requested documentation.
- b. The Commission shall request documentation of the circumstances surrounding the death or claim to Permanent Disability of the Parent while in the line of duty from the sources, as provided on the *Preliminary Information and Documentation Report*.
- c. If the Commission determines that the student meets the eligibility requirements, then the Commission shall provide the student with a *Law Enforcement Personnel Dependents Grant Application*. After the student completes the application, it is forwarded to the Eligible Postsecondary Institution for certification. The Eligible Postsecondary Institution then forwards the completed application to the Commission.

### **1107.2. 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 Application Deadline Date without jeopardizing the student's eligibility.

### **1107.3. Application Renewal.**

- a. A student must file a renewal application for each Award Year. The LEPD Grant renewal application is available online through the GSFAPPS system.
- b. A student must have successfully completed the coursework of the preceding school period, be a student in good standing, continue to meet Georgia Residency requirements, and remain otherwise qualified to receive a LEPD Grant.

## **1108. Award Requirements.**

### **1108.1. Award Amounts.**

- a. The LEPD Grant award amount for a Full-Time student Enrolled for two semesters or three quarters during the 2009-2010 Award Year at an Eligible Postsecondary Institution shall not exceed a total of \$2,000. However, an eligible student who Enrolls for three Full-Time semesters or four Full-Time quarters during the 2009-2010 Award Year may receive payment for three semesters or four quarters during the 2009-2010 Award Year, and his or her total LEPD Grant award may exceed \$2,000 for the Award Year, as follows:

	Quarter System:	Semester System:
Summer:	<b>\$666</b>	<b>\$1,000</b>
Fall:	<b>\$667</b>	<b>\$1,000</b>
Winter:	<b>\$667</b>	-----
Spring:	<b>\$666</b>	<b>\$1,000</b>

- b. LEPD Grant awards are not made or disbursed for Enrollment as a less than Full-Time student.
- c. The LEPD Grant award amounts per semester or quarter are subject to change during the Award Year.
- d. The maximum amount of cumulative LEPD Grant assistance for which a student is eligible to receive is **\$8,000** for the equivalent of four Academic Years.

### **1108.2. Award Amount Reductions.**

A student's LEPD Grant award amount shall not be reduced or withheld because of other aid the student may be receiving, even if the student's total aid exceeds the student's Cost of Attendance.

### **1108.3. Awards Per School Term.**

The LEPD Grant is available to students for the standard school terms of Summer, Fall, and Spring semesters or Summer, Fall, Winter, and Spring quarters. An institution may combine mini-terms or modules to form the equivalent of a standard semester or quarter. An institution may offer Non-Standard Terms or Non-Terms, in which courses or modules are taken consecutively to form the equivalent of a standard semester or quarter. Regardless of the structure of an Eligible Postsecondary Institution's school terms, a student must not receive payment for more than three semesters or four quarters per Award Year.

**1108.4. Student Notification of Award.**

Eligible Postsecondary Institutions should notify each recipient of the amount of LEPD Grant funds he or she is awarded for the Award Year, and identify such funds as a Law Enforcement Personnel Dependents Grant award.

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## **1109. Disbursement of Funds.**

### **1109.1. Methods of Disbursement.**

The Commission disburses funds in one of three ways, determined by the Eligible Postsecondary Institution.

- a. Individual checks made payable to each recipient, for each school term covered by the recipient's award.
- b. Single check made payable to the Eligible Postsecondary Institution for all students receiving the LEPD Grant at the institution.
- c. Electronic transfer of funds to the Eligible Postsecondary Institution for all students receiving the LEPD Grant at the institution.

### **1109.2. Crediting of Student Accounts.**

Upon receipt of a LEPD Grant payment from the Commission, the Eligible Postsecondary Institution shall deliver the funds to the eligible student or credit the student's account toward the Cost of Attendance.

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## **1110. Student Refund Requirements.**

### **1110.1. 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 LEPD Grant fund. A student is ineligible for LEPD Grant funds for coursework from which he or she totally withdrew if, as a result, such coursework does not appear on the student's academic transcript as a "Withdrawal", or any other code or identification for such a withdrawal.
- b. If applicable, the Eligible Postsecondary Institution must first apply the Federal Title IV Return of Funds policy for any federal aid the student may have received. To determine the refund to the LEPD Grant program, the institution must then apply the institution's refund policy, which may or may not be identical to the Federal Title IV Return of Funds policy, to the student's LEPD Grant award amount.
- c. The Eligible Postsecondary Institution must determine the amount of the LEPD Grant 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 award amount is retained by the institution to cover the institution's cost for the portion of the school term that the student was Enrolled.

### **1110.2. Collection of Refund Amounts.**

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.

### **1110.3. 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 LEPD Grant program who is called to emergency military duty during a school term that is already in progress should not have their 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 award to the LEPD Grant program. 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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## **1111. Reconciliation Requirements.**

### **1111.1. Award-Year Reconciliation.**

The Eligible Postsecondary Institution must conduct a complete student-by-student Award-Year Reconciliation with the Commission, and submit a Reconciliation Certification Form to the Commission by July 1st immediately following the completion of the Award Year.

### **1111.2. Return of Funds.**

The institution must return to the Commission any LEPD Grant Program 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 funds do not go to an unintended third party (i.e. State, institution).

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## **1112. Records Retention Requirements.**

### **1112.1. Length of Retention.**

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

### **1112.2. Documentation.**

- a. Documentation contained within an individual student file or record, which supports the original determination of a student's eligibility, must be retained by the institution and available for review by the Commission on the institution's campus, located within the State of Georgia, for at least three years after the most recent Award Year for which the student received LEPD funds. (Refer to *Section 1114*.) Institutions are permitted to maintain these documents in an imaged media format. The imaged media format must be capable of reproducing an accurate, legible, and complete copy of the original document.
- b. Such documentation may include, but is not limited to, copies of Permanent Resident Alien Cards, Georgia State Income Tax Returns, student financial aid applications and academic transcripts from previous institutions. Documentation regarding a student's eligibility is not limited to files, records, and other information received and maintained by the institution's student financial aid office. Documentation supporting a student's eligibility that is received and maintained by the institution's admissions office, registrars office, business office, and other administrative operations of the institution must be available to the Commission for the purpose of Compliance Reviews. It is the institution's responsibility to resolve any inconsistencies or conflicting information within a student's records, prior to awarding or disbursing funds to the student.

### **1112.3. Extended Retention.**

An institution may be required to retain student records involved in a Compliance Review, audit, or investigation for more than the three-year retention period described above. If the three-year retention period expires before the issue in question is resolved, the institution must continue to retain all associated records until resolution is reached.

## **1113. Appeals and Exceptions.**

### **1113.1. Appeals.**

- a. The LEPD 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 LEPD Grant Program 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.
- b. 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 by the student.

### **1113.2. Exceptions.**

No requests for Exceptions to the LEPD Grant Program Regulations will be considered, reviewed, or granted under any circumstances.

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## **1114. Compliance Reviews.**

### **1114.1. Compliance Review Policy.**

The Commission may conduct Compliance Reviews of Eligible Postsecondary Institutions participating in the LEPD Grant Program in order to assess institutional administration of the program and compliance with the program's regulations. Compliance Reviews are conducted in accordance with the Commission's *Compliance Review Process and Procedures* document, which is available on the *gsfc.org* website, under *School and Lender Information-Compliance Documents*.

### **1114.2. Compliance Review Process.**

The Commission selects a sampling of the institution's 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 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 1112*.)

### **1114.3. Institutional Repayment.**

If a recipient is determined to be ineligible for payment, the institution may be required to repay to the Commission the funds awarded to the recipient.

If later evidence, not available at the time of awarding, indicates that a student should not have received LEPD Grant funds, then all future LEPD Grant 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 1104.6*. If the student's file is determined not to be adequately documented by the Commission while conducting a Compliance Review, then the institution may be responsible for the repayment.