

GEORGIA HERO SCHOLARSHIP PROGRAM

REGULATIONS – 800.

2010 - 2011 AWARD YEAR



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Tucker, Georgia 30084

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802. Program Overview.

The Georgia HERO (Helping Educate Reservists and their Offspring) Scholarship Program was created to provide financial aid to students seeking a postsecondary education, who are:

1. Current members of the Georgia National Guard or United States Military Reserves who were deployed overseas on active service, on or after February 1, 2003, to a location designated as a combat zone; or
2. The children of Georgia National Guard members or United States Military Reservists who were deployed overseas on active service, on or after February 1, 2003, to a location designated as a combat zone; or
3. The spouses of Georgia National Guard members or United States Military Reservists who were deployed overseas on active service, on or after February 1, 2003, to a location designated as a combat zone, and who were killed in the combat zone, or died as a result of injuries received in the combat zone, or became 100 percent disabled as a result of injuries received in the combat zone.

The Georgia HERO Scholarship Program is funded by state appropriations. The maximum amount awarded to an eligible student is \$2,000 per Award Year. The award amount is subject to change during the Award Year.

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The Georgia General Assembly created the Georgia HERO Scholarship Program beginning with the 2005-2006 Award Year (State Fiscal Year 2006). The program is administered by the Georgia Student Finance Commission, in accordance with the Official Code of Georgia Annotated §20-3-485, §20-3-486, and §20-3-487, et. seq., in its entirety.

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803. Definitions.

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“Academic Year” means a period of time, usually eight or nine months, during which a Full-Time student is expected to complete the equivalent of two semesters or three quarters of postsecondary coursework.

“Acceptable Documentation” means an official document from the Georgia National Guard or United States Military Reserves certifying a Georgia National Guard Member’s or United States Military Reservist’s Deployed Date and location of deployment. An example of Acceptable Documentation is a letter signed by a Georgia National Guard Member’s or United States Military Reservist’s Commanding Officer that indicates the Georgia National Guard Member’s or United States Military Reservist’s Deployed Date and location of deployment.

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“Administrative Review” means a review by Commission staff of an eligibility determination made by an Eligible Postsecondary Institution or by the Commission to determine if a HERO program rule, policy, or regulation was applied correctly in a student’s specific case.

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

“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 the act of a student attending a course for personal development, with the understanding and agreement of his or her postsecondary institution that no credit hours or grade will be earned for that course.

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

“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.

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“Certificate” means an academic credential granted by a postsecondary institution indicating satisfactory completion of training by a student in an organized technical Undergraduate program of study which is not a Diploma program of study, an Associate Degree, Baccalaureate Degree, Graduate Degree or Continuing Education. A Certificate program of study typically requires fewer credit hours than a Diploma program of study.

“Child” means the son or daughter of a Parent who is or was a qualifying member of the Georgia National Guard or United States Reserves. Such son or daughter must have been born prior to the Qualifying Term of Service, or within nine months of the beginning of the Qualifying Term of Service, and was 25 years of age or younger at the time of the Qualifying Term of Service.

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

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

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

“Cost of Attendance” means the estimated expenses, both direct and indirect, which may be incurred by a student and the student’s family to finance the cost of receiving a postsecondary education. As determined by the student’s postsecondary institution and as defined by Federal Title IV Program regulations, these expenses may 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 institution, upon completion of a unified postsecondary program of study in an academic discipline or major.

“Deployed Date” means the date on which a Georgia National Guard Member or United States Military Reservist arrived on duty or continued to be on duty in a location or locations outside of the United States and its territories designated by

the United States Department of Defense as a combat zone. The Georgia National Guard Member or United States Military Reservist must document his or her deployed date by providing Acceptable Documentation.

“Diploma” means an academic credential granted by a postsecondary institution indicating satisfactory completion of training by a student in an organized technical Undergraduate program of study which is not a Certificate program of study, an Associate Degree, Baccalaureate Degree or Graduate Degree. A Diploma program of study typically requires more credit hours than a Certificate program of study.

“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 regulations, 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” means a unit of the University System of Georgia or a unit of the Technical College System of Georgia, or a private nonprofit postsecondary institution eligible to participate in Georgia’s HOPE Scholarship Program, in accordance with the provisions of the Official Code of Georgia Annotated §20-3-519 through 20-3-519.12.

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

“Exception” means a formal action by the Board to waive a specific 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.

“Full-Time” means enrollment for the equivalent of at least 12 quarter or 12 semester credit hours during a term at a postsecondary institution

“Georgia National Guard Member” means a civilian soldier currently serving in the organized militia of the Georgia Army National Guard or Georgia Air National Guard, in accordance with the Official Code of Georgia Annotated §38-2-3. The National Guard is a branch of the United States Armed Forces with both federal and state government responsibilities. Georgia National Guard forces are commanded by the governor through the state adjutant general and can be activated by the president of the United States to supplement the active-duty United States Armed Forces.

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“Georgia Resident” or “Georgia Residency” means an individual or the status of such individual who is a United States citizen or Eligible Non-Citizen and meets the in-state Tuition requirements of the Board of Regents or the governing body of the TCSG Eligible Postsecondary Institution he or she attends, as specified and limited by these regulations, or for students attending private Eligible Postsecondary Institutions, meets the criteria of the *Georgia Residency Requirements for State Programs Regulations*, as specified and limited by these regulations. For purposes of the HERO Scholarship Program, the term “Georgia Resident” is synonymous with “legal resident of Georgia” and “citizen of the state”, as used in O.C.G.A. § 20-3-485 (2) (A) (ii).

“Graduate” means a postsecondary program of study beyond the Baccalaureate Degree.

“HERO” means the Helping Educate Reservists and their Offspring Scholarship Program, which provides grant aid to students seeking a postsecondary education, who are current members of the Georgia National Guard or United States Military Reserves, and/or their children and spouses

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

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

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

“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 coursework.

“Non-Standard Term” means a term where all coursework is expected to begin and end within a set period of time, but is not a semester, trimester, or quarter term. Non-Standard terms may be of unequal length within an Award Year.

“Non-Term” means a program of study measuring progress in clock hours, or a program of study measuring progress in credit hours and has courses that do not begin and end within a set period of time, or has courses that overlap, or has sequential courses that do not begin and end within a term.

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

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“Part-Time” means Enrollment for the equivalent of 1 through 11 quarter or semester hours, during a term, of postsecondary credit at a postsecondary institution.

“Qualifying Term of Service” means deployment overseas for active service on or after the Deployed Date of February 1, 2003, to a location or locations outside of the United States and its territories designated by the United States Department of Defense as a combat zone for a cumulative period of at least 181 days or, in the case of an individual who was killed or receives 100 percent disability as a result of injuries received in such combat zone, any period of time on active service in such combat zone. Any such person, who failed to serve the full 181-day period because he or she was evacuated from such combat zone due to severe injuries, shall be deemed to have completed a Qualifying Term of Service.

“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.

“Spouse” means an individual who was legally married to a qualifying member of the Georgia National Guard or United States Military Reserves, and officially recognized by the Georgia National Guard or United States Reserves as the wife or husband of such member, at the time that such member was killed in a qualifying combat zone, or died as a result of injuries received in a qualifying combat zone, or sustained 100 percent disability in a qualifying combat zone, or became 100 percent disabled as a result of injuries received in a qualifying combat zone.

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“Study Away” means postsecondary credit-earning coursework approved by an Eligible Postsecondary Institution for its students in locations outside the State of Georgia, including locations in foreign countries.

“SURFER” means the Commission’s web-based system used by Eligible Postsecondary Institutions to electronically transmit and receive student data, award information, and conduct other administrative activities related to the Commission’s scholarship and grant programs.

“Technical College System of Georgia” or “TCSG” means the State of Georgia’s unified system of public technical colleges, formerly known as the Department of Technical and Adult Education (DTAE), which is governed by the Board of Commissioners of the Technical College System of Georgia.

“Term-Reconciliation” means an official acknowledgement by an authorized official of an Eligible Postsecondary Institution, at the end of each term, that the number of students submitted for payment and amount invoiced by the institution, and the number of students awarded and amount issued by the Commission, according to the SURFER system, are accurate on the date of such acknowledgement.

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“Transient” means temporary admission to a Host Institution for the purpose of completing coursework and earning postsecondary credit that the Home Institution has agreed to accept as transferable postsecondary credit.

“Tuition” means the charges to a student for postsecondary academic instruction without regard to other fees such as technology, activity, athletic, health, etc.

“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.

“United States Military Reservist” means a civilian military member currently serving in a reserve component of Armed Forces of the United States. United States Military Reserve units are completely controlled by the United States federal government and are an adjunct to the active-duty United States Armed Forces.

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

“Withdrawal Date” means the date the student withdraws, as determined by the institution in accordance with the procedures set forth for determining Withdrawal Date under the Higher Education Act of 1965, as amended.

804. General Eligibility Requirements.

804.1. 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 HERO Scholarship is sought.

804.2. Georgia Residency.

A student must be a Georgia Resident, as defined in these regulations, for 12 consecutive months immediately prior to the first day of classes of the school term for which funds are sought. No out-of-state Tuition waiver granted by TCSG or USG institutions qualifies a student for HERO Scholarship eligibility.

804.3. Enrollment Status.

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

804.4. Satisfactory Academic Progress.

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

804.5. 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 HERO Scholarship application deadline in order to be eligible for payment for such school term.

804.6. 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

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financial aid program regulations. A student must meet the requirements of this section at the time funds are disbursed by the Commission on behalf of the student. If such student has repaid the defaulted loan or refund due in full, or resolved the default status, then he or she may be eligible to receive HERO 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 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.

804.7. 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.

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805. Program Specific Eligibility Requirements.

805.1. National Guard and Reservist Criteria.

To be eligible to apply for the Georgia HERO Scholarship Program, a student must meet one of the following criteria.

- a. The student must be a current member of the Georgia National Guard or the United States Military Reserves who completed at least one Qualifying Term of Service.
- b. The student must be a child of a Parent who is or was a member of the Georgia National Guard or the United States Military Reserves who completed at least one Qualifying Term of Service.
- c. The student must be the Spouse of a member of the Georgia National Guard or the United States Military Reserves who completed at least one Qualifying Term of Service.

805.2. Length of Eligibility.

- a. A current member of the Georgia National Guard or United States Reserves who completed a Qualifying Term of Service is eligible for the equivalent of four Award Years of HERO assistance, for a total of \$8,000. In order to receive HERO payment, he or she must file an application for HERO with the Commission before July 1, 2011, or within two years (24 consecutive months) after the date he or she returned from the combat zone in which the Qualifying Term of Service was completed, whichever is later. In addition, eligibility for HERO funds shall terminate eight years (96 consecutive months) after the date that he or she returned from the combat zone in which the Qualifying Term of Service was completed.
- b. A Child of a Parent who is or was a qualifying member of the Georgia National Guard or United States Reserves, is eligible for one Award Year of HERO assistance, for each Qualifying Term of Service of 181 cumulative days that his or her Parent completed, not to exceed four Qualifying Terms of Service. If such Parent did not serve the full cumulative period of 181 days, because he or she was evacuated from the combat zone due to severe injuries, the Child shall be deemed to have completed one Qualifying Term of Service, and therefore, is eligible for one Award Year of HERO assistance. In order to receive HERO payment, such student must file an application for HERO with the Commission before July 1, 2011, or within two years (24 consecutive months) after such student became eligible for a HERO Scholarship, whichever is later. Such student, who meets all other eligibility requirements, is considered to have become eligible on the first day of classes of his or her first school term at an Eligible Postsecondary Institution.

The student must apply for the HERO within two years of that date in order to become eligible for payment. The student must also meet the Application Deadline Date requirements. (Refer to *Section 807.2*.) In addition, eligibility for HERO funds shall terminate eight years (96 consecutive months) after the Child became eligible for the HERO Program.

- c. A Child of a Parent who is or was a qualifying member of the Georgia National Guard or United States Reserves, and such Parent was killed in a qualifying combat zone, or died as a result of injuries received in a qualifying combat zone, or received a 100 percent disability as a result of injuries received in a qualifying combat zone, is eligible for the equivalent of four Award Years of HERO assistance, regardless of the length of time his or her Parent was on active service in such combat zone. In order to receive HERO payment, such student must file an application for HERO with the Commission before July 1, 2011, or within two years (24 consecutive months) after such student became eligible for a HERO Scholarship, whichever is later. Such student, who meets all other eligibility requirements, is considered to have become eligible on the first day of classes of his or her first school term at an Eligible Postsecondary Institution. The student must apply for the HERO within two years of that date in order to become eligible for payment. The student must also meet the Application Deadline Date requirements. (Refer to *Section 807.2*.) In addition, eligibility for HERO funds shall terminate eight years (96 consecutive months) after the Child became eligible for the HERO Program.

- d. A Spouse of a member of the Georgia National Guard or United States Reserves who was killed in a qualifying combat zone, or died as a result of injuries received in a qualifying combat zone, or sustained a 100 percent disability in a qualifying combat zone, or became 100 percent disabled due to injuries received in a qualifying combat zone, is eligible for the equivalent of four Award Years of HERO assistance. Such Spouse must file an application for the initial HERO Scholarship award prior to July 1, 2011, or no later than two years (24 consecutive months) following the death or 100 percent disability of the member, whichever is later. In addition, no award shall be issued later than eight years (96 consecutive months) after the initial award was issued.

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806. Eligible and Ineligible Coursework.

806.1. Undergraduate and Graduate Coursework.

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

806.2. Learning Support Coursework.

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

806.3. Exemption by Examination Coursework.

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

806.4. Distance Learning Coursework.

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

806.5. Transient Coursework.

- a. A Transient student is eligible to receive HERO payment if all other eligibility requirements are met. Both the Home Institution and the Host Institution must be Eligible Postsecondary Institutions.
- b. The Host Institution awards HERO 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 HERO eligibility.
- c. A student taking coursework at his or her Home Institution and a Host Institution during the same school term is eligible for HERO payment at both institutions.
- d. The Home Institution is liable for the return of funds the student receives at the Host Institution, if the Home Institution erroneously certifies the student's eligibility to the Host Institution.

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806.6. Study Away Coursework.

- a. A student enrolled in an Eligible Postsecondary Institution may qualify for HERO payment while participating in a Study Away program. The student's Home Institution must be an Eligible Postsecondary Institution, and must approve the Study Away program for credit toward the student's degree program prior to the student's departure.
- b. The HERO payment must take place through the Home Institution, unless the student is participating in a Study Away program via another Eligible Postsecondary Institution, then the process for Transient students is used. (Refer to *Section 806.5.*) The Home Institution may coordinate the Study Away program through institutions that are not eligible to participate in the HERO program. For example, the student's Home Institution may have an arrangement with an out-of-state institution's Study Away Program.

806.7. Continuing Education and Audit Coursework.

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

806.8. Total Withdrawal from Coursework.

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

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807. Student Application Requirements.

807.1. Application Forms.

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

- c. Upon receipt of a HERO application and documentation, the institution must certify the applicants meet all of the following eligibility requirements, in accordance with these regulations, and forward the application and documentation to the Commission:
 - 1. United States citizenship or Eligible Non-Citizen status.
 - 2. Georgia Residency.
 - 3. Enrollment Status.
 - 4. Satisfactory Academic Progress.
 - 5. Selective Service Registration.
 - 6. Loan Default and Refund.
 - 7. Drug-Free Postsecondary Education Act.

- d. The Commission shall review the completed application and all supporting documentation to verify and determine the applicant's eligibility and award. The Commission will notify the applicant and the institution of the determination.

807.2. 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. (Refer to *Section 805.2.*)

807.3. Application Renewal.

- a. The student must submit a renewal application to the Commission for subsequent periods of study at such times as designated by the Commission, and no later than the last day of the academic term or the student's withdrawal date, whichever occurs first.

- b. In order to renew a HERO Scholarship, the student must have successfully completed the coursework of the prior school period, be in good standing with his or her Eligible Postsecondary Institution, and meet all of the other eligibility requirements set forth in these regulations.

808. Award Requirements.

808.1. Award Amounts for Full-Time Enrollment.

The amount of aid payable to an eligible Full-Time student from the Georgia HERO Scholarship Program is a maximum of \$2,000 per Award Year or a maximum amount as specified by the state appropriations. The maximum award of \$2,000 per Award Year shall be provided on a school term basis, as follows:

\$1,000 per semester for any two semesters (summer, fall, or spring); or
\$700 per quarter for the first two quarters awarded for the Award Year and
\$600 for the third quarter awarded for the Award Year.

No student shall receive payment for more than two semesters or three quarters for an Award Year.

808.2. Award Amounts for Part-Time Enrollment.

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

808.3. Award Amount Reductions.

The HERO Scholarship award amount for a student must be reduced accordingly if the student is receiving any other student financial aid from federal, state, institutional, or private sources, which in combination with the maximum HERO award amount would exceed the student's Cost of Attendance. A student's HERO award, plus any other student financial aid, must not exceed the student's Cost of Attendance.

808.4. Awards Per School Term.

The HERO Scholarship is available to students for the standard school terms of summer, fall, and spring semesters or summer, fall, winter, and spring quarters. 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 HERO payment for more than two semesters or three quarters per Award Year.

808.5. Student Notification of Award.

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

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809. Invoicing Requirements.

809.1. Submission of Invoices.

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

809.2. Payment of Invoices.

HERO 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 HERO invoice.


809.3. Crediting of Student Accounts.

Upon receipt of HERO payments from the Commission, the institution shall credit the amount of payment on behalf of an eligible student to the account of the student.

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810. Student Refund Requirements.

810.1. Calculation of Refund Amounts.

- 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 HERO fund. A student is ineligible for the HERO funds for coursework from which he or she totally withdrew if, as a result, such coursework does not appear on the student's academic transcript as a "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 HERO award for that term, through the SURFER system.
- b. If applicable, the Eligible Postsecondary Institution must first apply the Federal Title IV Program return of funds policy for any federal aid the student may have received. To determine the refund to HERO, the institution must then apply the institution's refund policy, which may or may not be identical to the Federal Title IV Program return of funds policy, to the student's HERO award amount.
- c.  The Eligible Postsecondary Institution must determine the amount of the refund due back to the HERO program. The amount of the HERO award not determined to be owed back to the HERO program is retained by the institution to cover the institutions' cost for the portion of the school term that the student was enrolled.
 1. The Eligible Postsecondary Institution must adjust the student's invoice in SURFER to the new award amount remaining after the refund is calculated within 45 days of the determination.
 2. If the Eligible Postsecondary Institution has sufficient funds on hand to return to the Commission the refund owed to the HERO program, it should return the funds within 45 days of the refund determination. The Eligible Postsecondary Institution would then collect the refund amount from the student. However, the student should not be reported with a "Refund Due" status to the Commission since the funds have been repaid to the Commission.
 3. If the Eligible Postsecondary Institution does not have sufficient funds on hand to return to the Commission the refund owed to the HERO program, the student is considered to have a "Refund Due" to the Commission and the institution must report the student to the Commission with a "Refund Due" status.

810.2. 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.

810.3. 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 Georgia HERO Scholarship Program who is called to emergency military duty during a school term that is already in progress should not have his or her HERO eligibility negatively impacted. 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 HERO award to the HERO account. This regulation may also be applied to students who are not members of the military but are otherwise unusually and detrimentally affected by the emergency activation of members of the military, as determined by the president of the Eligible Postsecondary Institution that such student is attending.

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811. Reconciliation Requirements.

811.1. Term-Reconciliation.

The Eligible Postsecondary Institution must conduct a Term-Reconciliation 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 the amount invoiced by the institution, and the number of students awarded and the amount issued by the Commission, according to the SURFER system, is accurate on that date. The Commission will not issue HERO 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.

811.2. Award-Year Reconciliation.

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

811.3. Return of Funds.

The institution must return to the Commission any HERO 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 HERO funds do not go to an unintended third party (i.e. state, institution).

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812. Records Retention Requirements.

812.1. Length of Retention.

An Eligible Postsecondary Institution shall maintain accurate records, books, documents and other evidence concerning the HERO Scholarship Program, including, but not limited to individual student files for 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.

812.2. 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 HERO funds. (Refer to *Section 814.*) 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.

812.3. Extended Retention.

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

813. Administrative Reviews and Exceptions.

NEW

813.1. Administrative Reviews.

- a. The HERO Scholarship Program Regulations are applied to each student considered for such funds by appropriate officials of Eligible Postsecondary Institutions and by the administrative staff of the Commission. If a student believes a HERO Scholarship Program rule or regulation was incorrectly applied in his or her case, the student has the right to file a request for an Administrative Review with 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 Administrative Review to be considered, the student must submit a written request for an Administrative Review to the Commission office within 45 days of receiving notice of denial. 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 (rather than a personal presentation).

813.2. Exceptions.

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

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814. Compliance Reviews.

814.1. Compliance Review Policy.

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

814.2. Compliance Review Process.

a. 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 812*.)

NEW

b. The Commission will exclude from review the Residency determinations and Satisfactory Academic Progress (SAP) determinations, as they relate to *Section 804.2. and 804.4* of these regulations, made for HERO recipients in the selected sample for any USG or TCSG Eligible Postsecondary Institution which has submitted to the Compliance Department of Georgia Student Finance Commission a certification signed by the President of the Eligible Postsecondary Institution that the Eligible Postsecondary Institution is in compliance with its policies and procedures in the determination and the administration of the financial aid award process relative to Residency requirements and Satisfactory Academic Progress, and that the Residency and SAP determinations have been fairly and consistently applied with respect to all students receiving the HERO award. Such certification must be submitted annually to the Compliance Department of Georgia Student Finance Commission.

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

814.3. Institutional Repayment.

- a. If a recipient is determined, by the Commission, to be ineligible for payment, the institution may be required to repay to the Commission the funds awarded to the recipient. The recipient, rather than the institution, may owe the repayment to the Commission, as described in *Section 810.3*.

- b. If later evidence, not available at the time of awarding, indicates that a student should not have received HERO funds, then all future HERO 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 804.6*. If the student's file is determined, by the Commission, not to be adequately documented then the Eligible Postsecondary Institution may be responsible for the repayment.