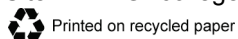




This program has been suspended for the 2010 - 2011 academic year and is no longer available.

Thank you,
GSFC

2082 East Exchange Place, Suite 200 • Tucker, Georgia 30084
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HOPE Teacher Scholarship Loan Program

REGULATIONS – 3500.

2010 – 2011 Award Year



Effective Date – July 1, 2010



2082 East Exchange Place
Tucker, Georgia 30084

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3502. Program Overview.

The HOPE Teacher Scholarship Loan Program provides service cancelable loans to teachers and other individuals who are seeking Advanced Degrees in teaching fields designated as critical shortage teaching fields in Georgia.

Maximum awards are based on the number of credit hours necessary for students to complete their program of study. Students who attend an eligible public university receive \$125 per semester hour. At an eligible private college or university, students can receive \$200 per semester hour or quarter equivalent. HOPE Teacher funds may be used for tuition and fees, room and board, and other educational expenses. In return, recipients agree to teach or continue teaching after completion of their program of study in a Georgia Public School System at the preschool, elementary, middle, or secondary level up to a maximum of four years.

The HOPE Teacher Scholarship Loan Program was created beginning with the 1995-1996 Award Year (State Fiscal Year 1996). The program is fully funded by the Georgia Lottery for Education and administered by the Georgia Student Finance Commission, in accordance with the Official Code of Georgia Annotated § 20-3-519.8. et. seq., in its entirety.

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3503. Definitions.

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

NEW

“**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 an Accel program rule, policy, or regulation was applied correctly in a student’s specific case.

“**Advanced Degree**” means a Master’s Degree, Specialist Degree or Doctorate Degree conferred on students by a postsecondary teacher educational institution upon completion of a unified program of study at the Graduate level.

“**Approved Teacher Education Program**” means a program of study, offered by an Eligible Postsecondary Institution, leading to an Advanced Degree in teacher education, which is approved by the Georgia Professional Standards Commission.

“**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 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**” means Board of Commissioners, the governing body of the Georgia Student Finance Commission.

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

“**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.

NEW

“**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.

“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 Regulations, these expenses include Tuition, fees, room, meals, books, supplies, transportation, and personal expenses.

NEW

“Deferment” means a period of time approved by the Commission during repayment in which the borrower, upon meeting certain conditions, is not required to make payments on the loan and during which time interest does not accrue on the loan principal.

“Doctorate Degree” means an academic degree conferred by a Graduate school or department of a postsecondary institution upon students who successfully complete a prescribed program of Graduate study that is beyond a Baccalaureate Degree and Master's Degree, and is generally accepted as the highest academic degree in a specific field of study.

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

“Eligible Postsecondary Institution” means a public or private postsecondary institution, located in Georgia, offering an Approved Teacher Education Program.

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

“Federal Title IV Programs” means student financial aid programs administered by the United States Department of Education, that are authorized by Title IV of the Higher Education Act of 1965.

NEW

“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.

NEW

“Forbearance” means a period of time approved by the Commission during which the borrower, upon meeting certain conditions, is permitted to temporarily cease making

payments on the loan. The borrower is liable for the interest that accrues on the loan during the forbearance period.

“GCollege411” means the website that provides information on careers, Georgia’s postsecondary institutions, student financial aid, and accesses electronic college and financial aid applications.

“Georgia Professional Standards Commission” means the State of Georgia agency, separate from the Georgia Department of Education, with the central responsibility for the teacher certification and licensure process, and to improve the level of preparation of Georgia’s educators.

“Georgia Public School System” means an employment site approved for HOPE Teacher service-cancellation at a public preschool, elementary, middle, or secondary level school under the authority of a city or county school system Board of Education. For purposes of the HOPE Teacher Scholarship Loan Program, a Georgia Public School System also means a prekindergarten classroom wherein the lead teacher is funded and approved by the Office of School Readiness.

“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, as specified and limited by these regulations, or meets the criteria of the *Georgia Residency Requirements for State Programs Regulation*, as specified and limited by these regulations, if attending a private Eligible Postsecondary Institution.

“Grace Period” means a period in which the student is unable to find a qualifying position within the twelve (12) months immediately following the student’s completion of their approved teacher education program.

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

“Home Institution” means an Eligible Postsecondary Institution in which the student is normally enrolled and is in a matriculated status working toward a degree.

NEW **“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*.

NEW **“HOPE Teacher Scholarship Loan Program” or HOPE Teacher”** means the service cancelable loan program provided by the State of Georgia for Graduate students

enrolled in teacher education programs of study, in accordance with the Official Code of Georgia Annotated § 20-3-519.8. et. seq., in its entirety.

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

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

“Master’s Degree” means an academic degree conferred by a Graduate school or department of a postsecondary institution upon students who successfully complete at least one year of prescribed Graduate study that is beyond a Baccalaureate Degree, but less than a Specialist Degree or Doctorate 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.

NEW **“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.

NEW **“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.

“Professional Georgia Educator Certificate” means a certificate verifying the student has completed all applicable requirements to qualify for a clear and renewable classification, as determined by the Georgia Professional Standards 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.

“Specialist Degree” means an academic degree conferred by a Graduate school or department of a postsecondary institution upon students who successfully complete at least one year of prescribed Graduate study that is beyond a Baccalaureate Degree and Master’s Degree, but less than a Doctorate Degree.

“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 a Baccalaureate Degree.

“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.

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3504. General Eligibility Requirements.

3504.1. Citizenship.

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

3504.2. Georgia Residency.

- a. A student attending an Eligible Postsecondary Institution, which is a unit of the University System of Georgia, meets the Georgia Residency requirements for purposes of the HOPE Teacher Program if he or she meets the requirements to be classified as a Resident of Georgia for in-state tuition under Board of Regents policy for a minimum of 12 consecutive months immediately prior to the first day of classes of the school term for which the HOPE Teacher Scholarship Loan is sought. A student who has received an out-of-state tuition waiver is not considered a Resident of Georgia and therefore is ineligible.
- b. A student attending a private Eligible Postsecondary Institution meets the Georgia Residency requirements for purposes of the HOPE Teacher Program, if he or she meets the requirements to be classified as a Resident of Georgia according to the *Georgia Residency Requirements for State Programs Regulations*.

3504.3. Enrollment Status.

- a. There is no minimum number of hours of enrollment required for eligibility.
- b. A student must be fully accepted for enrollment into an Advanced Degree teacher education program approved by the Georgia Professional Standards Commission, and be certified by the college of education teacher certification official at the institution to be admitted into an Advanced Degree teacher education program in a critical shortage teaching field leading to advanced certification.
- c. The student must complete his or her approved program, obtain a higher level clear and renewable Professional Georgia Educator Certificate in the field in which he or she was awarded, and commit to teach in his or her critical shortage field after graduation as an employee in a teaching field in a Georgia Public School System classroom at the preschool, elementary, middle or secondary level within 12 months after graduation.
- d. A student who terminates enrollment at an institution, or who is otherwise dropped from enrollment therein by the institution, will not be eligible to continue receiving assistance from the HOPE Teacher Program following receipt of information of such event.

3504.4. Satisfactory Academic Progress.

Recipients of the HOPE Teacher Program are not required to meet the institution's Satisfactory Academic Progress policy.

3504.5. Selective Service Registration.

A student must be in compliance with United States Selective Service System requirements, if such requirements are applicable, prior to the HOPE Teacher Scholarship Loan application deadline (Refer to *Section 3507.2.*) in order to be eligible for HOPE Teacher Scholarship Loan payment for such school term.

3504.6. Defaulted Loan or Refund Due.

A student must not be in default on a Federal Title IV Programs or State of Georgia educational loan nor owe a refund on a Federal Title IV or State of Georgia student financial aid program. A student must meet the requirements of this section at the time funds are disbursed by the Commission on behalf of the student. If the student has repaid the defaulted loan or refund in full, he or she is eligible to receive HOPE Teacher funds, beginning with the term in which repayment was made in full, but not for previous terms. A student's default status can be resolved one of four ways: 1) completing 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, or 4) by receiving an approved Title IV debt settlement.

3504.7. Georgia Drug-Free Act.

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

3504.8. Incarceration.

A student seeking a Degree from an Eligible Postsecondary Institution is ineligible for HOPE Teacher payment while Incarcerated. Upon release from Incarceration, such student may begin receiving HOPE Teacher payments, if he or she meets all HOPE Teacher eligibility requirements.

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3505. Program Specific Eligibility Requirements.

3505.1. Eligible Students.

The following individuals are eligible for the HOPE Teacher Scholarship Loan Program:

- a. Teacher's without a Master's Degree. This includes teachers working in public or accredited private schools that have a Baccalaureate Degree and are seeking an Advanced Degree in their current or in a new critical shortage field.
- b. Teachers and Individuals with a Master's or Specialist Degree. This includes:
 1. Teachers working in public or accredited private schools, and individuals who have a Master's Degree in a critical shortage field who are seeking a Specialist or Doctorate Degree in their current critical shortage field;
 2. Teachers working in public or accredited private schools, and individuals who have a Master's Degree in a non-critical shortage field who are seeking an Advanced Degree in a critical shortage field; and
 3. Teachers working in public or accredited private schools and individuals who have a Specialist Degree in a critical shortage field who are seeking a Doctorate Degree in their current critical shortage field.
- c. Georgians with a Baccalaureate Degree Not Currently Teaching or Who Have Not Taught. This includes individuals who have a Baccalaureate Degree who are seeking an Advanced Degree in a critical shortage field.

3505.2. Ineligible Students.

The following individuals are not eligible for the HOPE Teacher Scholarship Loan Program:

- a. Individuals who already hold an Advanced Degree in a critical shortage field who are seeking an Advanced Degree in a new critical shortage field.
- b. Individuals who already hold a Doctorate Degree recognized by the Georgia Professional Standards Commission as Level 7.
- c. Individuals who are currently Incarcerated, or are ineligible for teacher certification due to action by the Georgia Professional Standards Commission.

3505.3. Maintaining Eligibility.

- a. A student may receive HOPE Teacher Program funds up to a maximum of \$10,000 for one Approved Teacher Education Program of study to be completed within 5

years beginning with the first term for which funds were awarded. Once a recipient has satisfied the service or cash repayment obligation for their program of study awarded, he or she can reapply for the HOPE Teacher Program up to a maximum of \$10,000 if the applicant continues to meet the eligibility requirements described in *Section 3504.* of these regulations. Funding for a new HOPE Teacher Program begins with the first term following the date it has been determined that the recipient satisfied their previous HOPE Teacher Scholarship Loan Program obligation.

- b. A student's eligibility for a HOPE Teacher Scholarship Loan Program expires if he or she has a break-in-enrollment at an Eligible Postsecondary Institution of more than 12 months. In such event, a student is obligated under the conditions in *Section 3508.2.* of these regulations.

3505.4. Transient Students.

A Transient student may receive payment upon the discretion of the Home Institution and must provide documentation from the college of education at the Home Institution that the credit hours attempted at the Host Institution will count toward the student's program of study at the Home Institution. The Home Institution and Host Institution must have a written agreement, which prohibits payment at the Host Institution and provides the Home Institution with the information necessary to obtain payment from the Commission. The student's HOPE Teacher Program award must be paid through the Home Institution.

3505.5. Transfer Students.

A recipient of the HOPE Teacher Program who transfers to another Eligible Postsecondary Institution must meet all of the same eligibility requirements in order to continue to receive HOPE Teacher Program funds. Award amounts will not be adjusted if the institution the student transfers to requires additional hours to complete the program of study.

3506. Student Application Process.

3506.1. HOPE Teacher Application Process.

- a. The application for the HOPE Teacher Program is available on the GAcollege411 website.
- b. An applicant must complete his or her portion of the application and deliver it to the college of education teacher certification official for completion and certification. The application is then forwarded to the financial aid office for completion and certification. The financial aid office sends the completed application directly to the Commission for final determination of eligibility.
- c. A student must file the application online or in the institution's financial aid office on or before the last day of the academic term (semester or quarter) or the student's withdrawal date, whichever occurs first, in order to be paid for that academic term. The last day of the academic 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.
- d. All completed applications will be taken into full consideration and awarded on a first-come, first-served basis.

3506.2. FAFSA Application.

A student is not required to complete the Free Application for Federal Student Aid (FAFSA) in order to apply for the HOPE Teacher Program.

3506.3. Institutional Financial Aid Application.

An institution may require students to complete the institution's application for financial aid. A student is advised to check with the institution he or she plans to attend for the appropriate forms.

3506.4. Deadline Dates.

- a. A renewal applicant must complete an award maintenance application to apply for any unused funds remaining for his or her program of study.
- b. A renewal applicant must file a renewal application before the last day of the academic term or the student's withdrawal date, whichever occurs first, in order to be paid for that academic term.
- c. A renewal applicant must continue to meet all of the eligibility requirements in *Section 3504.* of these regulations.

3506.5. Eligible Institutions.

The following institutions currently offer teacher education programs that are approved by the Georgia Professional Standards Commission:

Public

Albany State University
Armstrong Atlantic State University
Augusta State University
Columbus State University
Fort Valley State University
Georgia College and State University
Georgia Southern University
Georgia Southwestern State University
Georgia State University
Kennesaw State University
North Georgia College and State University
University of West Georgia
University of Georgia
Valdosta State University

Private

Agnes Scott College
Berry College
Brenau University
Clark Atlanta University
Emory University
LaGrange College
Mercer University
Oglethorpe University
Piedmont College
Toccoa Falls College
Wesleyan College

3506.6. Critical Shortage Teaching Fields.

The following are the critical shortage teaching fields approved by the Commission for the HOPE Teacher Scholarship Loan Program for the 2010-2011 Award Year:

Art Education (P-12)

Early Childhood Education (P-5)

Economics Education (6-12)

English Education (6-12)

Special Education (P-12)

- Education of Exceptional Children - Adapted Curriculum (P-12)
- General Curriculum (P-12)
- General Curriculum/Early Childhood Education (P-5)
- Behavior Disorders (P-12)
- Hearing Impaired (P-12)
- Learning Disabilities (P-12)
- Orthopedically Impaired (P-12)

Foreign Language Education (P-12)

- Spanish
- French

Geography Education (6-12)

History Education (6-12)

Mathematics Education (6-12)

Middle Grades Education (4-8)

- Math

- Science
- Math & Science
- Language Arts

Music Education (P-12)

Political Science Education (6-12)

Science Education (6-12)

- Broad Field Science
- Biology
- Chemistry
- Earth/Space
- Physics

(The remainder of this page is intentionally blank.)

3507.Selection Process and Duties.

3507.1. Selection of Recipients.

- a. An applicant seeking an Advanced Degree must meet all of the eligibility requirements detailed in *Section 3504.* of these regulations.
- b. The maximum award for the HOPE Teacher Program will be based on the number of credit hours necessary for a student to complete his or her program of study. Any other scholarships and grants would be applied first to the student's Cost of Attendance before applying HOPE Teacher funds.
- c. HOPE Teacher funds are awarded to cover an Award Year of four quarters or three semesters. The student may choose to attend any quarter or semester during the Award Year. The institution will disburse the award for each term based on the number of quarter or semester credit hours the student is enrolled. A student is eligible to receive \$125 per semester hour at a public (USG) Eligible Postsecondary Institution, or \$200 per semester hour (\$133 per quarter hour) at a private Eligible Postsecondary Institution.

For example: At a USG institution, if a student enrolls for 12 semester hours for fall term, the student is eligible to receive \$1,500 (\$125 x 12 semester hours). At a private Eligible Postsecondary Institution on the semester system, a student who enrolls for 12 semester hours fall term is eligible to receive \$2,400 (\$200 x 12 semester hours).

- d. HOPE Teacher funds may be used to cover direct and indirect costs including Tuition and fees, room and board, and any other part of the student's Cost of Attendance. HOPE Teacher funds may not be used for costs over and above the student's Cost of Attendance.
- e. Students who are awarded a HOPE Teacher Scholarship Loan will receive an award letter and promissory note to be signed and notarized acknowledging the service or cash repayment obligation. Awards for each school term will be sent to the financial aid office at the appropriate institution.
- f. All applicants who do not qualify will receive a denial letter from the Commission.

3507.2. Loss of Scholarship.

If at any time a student fails to meet the requirements for continued eligibility for the HOPE Teacher Program, the student would be obligated under the *Repayment of Scholarship* conditions in *Section 3508.*of these regulations.

3508. Repayment of Scholarship.

3508.1. Teaching Obligation.

All students who are awarded a HOPE Teacher Scholarship Loan will be provided with a promissory note when completing the application process. The promissory note must be signed and notarized in order to receive HOPE Teacher funds.

The general terms and conditions of the promissory note are as follows:

- a. The student must complete the program for which they were funded and obtain a higher level clear and renewable Professional Georgia Educator Certificate in that same field.
- b. The student must teach, on a full-time basis, as an employee in a Georgia Public School System in the critical shortage field for which he or she was funded at the preschool, elementary, middle or secondary level one Academic Year for each \$2,500 awarded by the HOPE Teacher Scholarship Loan Program. Recipients must find qualifying employment within 12 months immediately after completing the Approved Teacher Education Program.
- c. The student must fulfill the teaching obligation within 5 years after completing the program of study for which funds were awarded. The teaching obligation may be extended only if the student has received a deferment approved by the Commission. Exceptions qualifying for a deferment or forbearance are listed in *Section 3508.3. and 3508.4.*
- d. The student must provide the Commission, as it requires, evidence of compliance of the teaching obligation.
- e. Annual service cancellation will not begin until recipients have fully completed their program of study and obtained a higher-level teaching certificate.

3508.2. Service Default.

If the student fails to meet the teaching obligation in *Section 3508.1.* or fails to obtain a higher level Professional Georgia Educator Certificate, or if the Commission determines, in its sole discretion, the student is no longer pursuing the program for which the student was awarded, and the HOPE Teacher Program funds were intended, the student shall:

- a. Repay in full the amount of the HOPE Teacher funds received, reduced by the dollar amount that coincides with the years of service that have been performed;
- b. Make payments to the Commission, which cover principal and interest. At the time a recipient enters repayment status, the interest rate shall be fixed for the cash repayment term based on the prime rate in the Wall Street Journal as of the second

day of January of the then-current calendar year, plus one percentage (1%) point. In no event shall the interest rate exceed 10% per annum; and

- c. Pay all reasonable collections costs as determined by the Commission.

3508.3. Deferment of Repayment.

A student may apply for Deferment of repayment under certain conditions listed below. To qualify for a Deferment, a student shall notify the Commission in writing of his or her claim and provide supporting documentation as required by federal law, state law or program regulations.

- a. Enrolled for 12 hours of Undergraduate coursework, or 6 hours of Graduate coursework at a postsecondary institution; or
- b. Serving, not in excess of 4 years, on active duty as Military Personnel; or
- c. Temporarily disabled as established by sworn affidavit of a qualified physician satisfactory to the Commission; or
- d. Unable to secure employment for a period not to exceed 12 (twelve) months by reason of the full-time care required by a disabled child of which the student is the legal guardian, student's spouse, or student's parent; or
- e. The recipient is still within the Grace Period, which is defined as a period in which the student is unable to find a qualifying position within 12 months immediately following the student's completion of his or her Approved Teacher Education Program.
- f. The Deferment options available under the Federal Family Education Loan Program or the William D. Ford Federal Direct Loan Program as authorized by Title IV of the Higher Education Act of 1965 as amended.

NEW

3508.4. Forbearance of Repayment.

NEW

A student may apply for a Forbearance of repayment under certain conditions listed below. To qualify for Forbearance, a student shall notify the Commission in writing of his or her claim and provide supporting documentation as required by federal law, state law or program regulations.

- a. The Forbearance options available under the Federal Family Education Loan Program or the William D. Ford Federal Direct Loan Program as authorized by Title IV of the Higher Education Act of 1965 as amended.

3508.5. Cancellation of Repayment.

The Commission shall cancel a student's repayment obligation if it determines:

- a. On the basis of a sworn affidavit of a qualified physician satisfactory to the Commission, the student is unable to teach on a full-time basis because the student is permanently and totally disabled; or
- b. On the basis of a death certificate or other evidence of death that is conclusive under State law, the student has died.

3508.6. Promissory Note.

The complete service and cash repayment requirements are provided in the HOPE Teacher Scholarship Loan promissory note. For purposes of the service or cash repayment obligations, if any discrepancy exists between the content of these regulations and the HOPE Teacher Scholarship promissory note that the student signed, the promissory note shall control.

3509. Procedures for Disbursing Funds.

3509.1. Submission of Disbursement.

The Commission will disburse HOPE Teacher funds on a quarter-by-quarter or semester-by-semester basis to each Eligible Postsecondary Institution, no earlier than 14 days before the first day of classes of each term. A student is eligible to receive \$125 per semester hour at eligible public colleges and universities, and \$200 per semester hour (\$133 per quarter hour) at eligible private colleges and universities. The institution is responsible for verifying enrollment hours and disbursing the correct amount to each student.

3509.2. Award Adjustments.

An institution may adjust the student's award each school term to reflect the appropriate award amount based on the actual number of hours the student enrolled after the drop/add period. If the award amount needs to be adjusted to a lesser amount, the institution has the authority to reduce the award; however, if the award amount for the school term needs to be increased to a higher award amount than is provided on the award letter from the Commission, the student must request, in writing, the additional award amount for that school term from the Commission. If the student is eligible for an increased award for that school term, the Commission will send an amended award letter to the student for signature. Once the amended award letter has been signed and returned to the Commission, the Commission will send the requested funds to the institution.

3509.3. Report of Awards to Commission.

1. Monthly or within 30 days of making system decreases in the number of hours or for a full cancellation; the school will remit back to the Commission either by check or by wire with student by student detail, the refund dollar amounts associated with full refunds or partial refunds. Failure to comply with the return of funds may delay future award disbursements.
2. Procedures and Forms will be provided for detailed refund processing and wiring instructions.

For example: HOPE Teacher Program funds were awarded for 10 students at a USG institution for fall semester for 12 hours. The Commission disbursed a total of \$15,000 to the institution to cover full awards for 10 students. All 10 students did not receive full awards (three students enrolled six hours, and seven students enrolled three hours). Therefore, the institution actually awarded a total of \$4,875 for fall semester. The \$10,125 difference must be refunded back to the Commission within 30 days either by check or wire with student-by-student detail.

3510. Reconciliation.

3510.1. 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 May 15 following the completion of the Award Year.

The Commission will provide the institution with a letter to confirm that reconciliation is complete and final for the Award Year.

3510.2. Return of Funds.

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

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3511. Records Retention Requirements.

3511.1. Length of Retention.

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

3511.2. 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 calendar years after the most recent Award Year for which the student received HOPE Teacher funds. 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 review. 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.

3511.3. 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.

3512. Administrative Reviews and Exceptions.

NEW

3512.1. Administrative Reviews.

The HOPE Teacher Scholarship Loan Program Regulations are applied to each student considered for HOPE Teacher Scholarship Loan funds by appropriate officials and by the administrative staff of the Commission. If a student believes a HOPE Teacher Scholarship Loan 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.

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, rather than a personal presentation.

3512.2. Exceptions.

Requests for Exceptions to the *HOPE Teacher Scholarship Loan Program Regulations* cannot be considered, reviewed, or granted under any circumstances.

NEW

3513. Compliance Reviews.

3513.1. Compliance Review Policy.

The Commission may conduct Compliance Reviews of the HOPE Teacher Scholarship Loan Program in order to assess an institution's 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*.

3513.2. Compliance Review Process.

- a. The Commission selects a sampling of an institution's recipients, for the Award Year under review, and the institution's files and records for the sample are examined to assure compliance. The 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 institution's campus.
- b. The Commission will exclude from review the Residency determinations as they relate to *Sections 3504.2. but not Sections 3504.2.b* made for HOPE Teacher recipients in the selected sample for any 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 determinations have been fairly and consistently applied with respect to all students receiving the HOPE Teacher awards. Such certification must be submitted annually to the Compliance Department of Georgia Student Finance Commission in the format required by the Commission.

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

3513.3. 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.
- b. If later evidence, not available at the time of awarding, indicates that a student should not have received HOPE Teacher Scholarship Loan payment, then all future awards must be canceled. An 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 is ineligible to receive additional state aid from the Commission until the refund is paid in full, in accordance with *Section 3508*. 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.