

# HIGHER EDUCATION OPPORTUNITIES GRANT PROGRAM RULES AND REGULATIONS

## RULE 1 – ORGANIZATION AND STRUCTURE

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- I. The Arkansas Department of Higher Education (ADHE) shall administer the Higher Education Opportunities Grant Program within the policies set by the Arkansas Higher Education Coordinating Board. All formal communications shall be addressed to or signed by the Director of the Arkansas Department of Higher Education or his/her designee.
- II. The Director of the Arkansas Department of Higher Education has the final responsibility for selecting grant recipients pursuant to the provisions of Act 1030 of 2007, **Act 1213 of 2009** and subsequent legislation, and program rules and regulations.
- III. The Arkansas Department of Higher Education shall follow the provisions of the Administrative Procedures Act when functioning under Act 1030 of 2007, **Act 1213 of 2009** and subsequent legislation.

## RULE 2 – GRANT ELIGIBILITY CRITERIA

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### I. Eligibility Criteria

An applicant must meet the following requirements to be eligible to receive the Higher Education Opportunities Grant:

- A. The applicant must be a citizen of the United States or a permanent resident alien.
- B. ~~The applicant shall have been a resident of the State of Arkansas for at least (12) months prior to graduation from an Arkansas high school or the date of notification of successful completion of the General Educational Development Test in Arkansas and at least one parent or legal guardian shall have maintained Arkansas residency for the same period of time.~~

**The applicant shall be a bona fide resident of the state as defined by the Department of Higher Education for a minimum of twelve (12) months immediately before the date on which the student applies.**

- ~~C. The applicant must have graduated from high school in Arkansas or successfully completed the General Educational Development Test in Arkansas after December 31, 2006. The applicant shall apply within twelve (12) months of graduating from an Arkansas high school or earning a High School Graduate Equivalent (as defined in Rule 7—Program Definitions).~~
- D. The applicant shall be enrolled in an approved institution of higher education as a full-time or part-time first-time student, as defined by the Department of Higher Education, ~~within twelve (12) months of high school graduation or notification of successful completion of the General Educational Development Test.~~
- ~~E. The applicant must be enrolled full-time or part-time (as defined in Rule 7—Program Definitions) per academic semester.~~
- F. The applicant must be enrolled in a program of study that leads to or is creditable towards a baccalaureate degree. These programs include baccalaureate degree programs, associate degree programs, **qualified certificate programs** and nursing school diplomas, which require concurrent college enrollment.
- G. Applicants must certify that they are drug-free and must pledge in writing on the application form to refrain from the use or abuse of illegal substances. This pledge includes alcohol for applicants under twenty-one years of age.
- H. Applicants must demonstrate financial need as defined below:
1. An applicant whose family includes ~~one (1) unemancipated child under the age of 24~~ **number in the household, as reported on the Free Application for Federal Student Aid, is one (1)** shall have a family adjusted gross income (AGI) not exceeding \$25,000 per year, as reported on the Free Application for Federal Student Aid (FAFSA) at the time of application for the program, plus an additional \$5,000 of AGI per year for each ~~additional child under the age of 24 at the time of application to the program.~~ **number in the household up to ten (10) additional household members.**
  2. ~~Any student who claims to be emancipated or independent must be eligible to receive federal financial aid as an independent student as defined by federal regulations.~~

3. The Department of Higher Education may increase the income requirements using the Federal Consumer Price Index, if sufficient funds become available.
4. The Department of Higher Education may exercise professional judgment in determining family income levels when special circumstances exist that can be documented.

## II. Continued Eligibility

If sufficient funds are available, the grant shall be awarded for one academic year and renewed annually if the recipient maintains a 2.0 cumulative grade point average on a 4.0 scale, **maintains satisfactory academic progress and demonstrates financial need.**

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## RULE 3 – APPLICATION PROCESS

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### I. Application

Students must submit an application for the Higher Education Opportunities Grant Program to the Arkansas Department of Higher Education. The Arkansas Department of Higher Education will provide **an** ~~Higher Education Opportunities Grant Program~~ application forms on the Department's financial aid website. The Arkansas Department of Higher Education will also provide application forms to any individual upon request. The applicant must complete the Higher Education Opportunities Grant application to be considered for the grant. The applicant must also complete the Free Application for Federal Student Aid (FAFSA).

### II. Submission of Application and Application Deadline

~~Students must submit an application within twelve (12) months of high school graduation or notification of successful completion of the General Educational Development Test to ADHE. The application deadline date is June 1 for applicants enrolling in the fall term and November 1 for applicants enrolling in the spring term. Applications received after the established deadline date will not be considered for a scholarship for the upcoming term, but the application will stay on file and be considered for future terms provided the applicant still meets the eligibility requirements. The student is responsible for submitting the application and all supporting documentation in a timely manner.~~

**Any interested student planning to enroll in an eligible public or private college or university in Arkansas may apply.**

**The Arkansas Department of Higher Education shall establish the deadline for receipt of applications each year. The deadline date**

**shall be clearly printed on the application.**

**All applications and supporting documentation must be received by the Arkansas Department of Higher Education by the established deadline date in order to be considered. It is the responsibility of the individual applicant to ensure that the application is received by the Arkansas Department of Higher Education by the deadline date.**

\*If any deadline date occurs on a weekend or holiday, the deadline will be extended to the following business day.

**~~\*\*\*A one-time extension of application deadline will exist for high school graduates and high school graduate equivalents during 2007. The application deadline for these applicants will be October 1, 2007 for the Fall 2007 term and January 1, 2008 for the Spring 2008 term.~~**

### III. Amount of Grant

The amount of the annual grant awarded to each recipient shall be as follows:

- A. A full-time recipient shall be awarded in the amount of one thousand dollars (\$1,000) per academic year;
- B. A part-time recipient shall be awarded in the amount of five hundred dollars (\$500) per academic year.

### IV. Award Notification and Prioritization of Awards

During times of funding shortages under the Higher Education Opportunities Grant Program, the Department of Higher Education shall first award those students who received an award in the previous academic year. If sufficient funds are not available to renew the Higher Education Opportunities Grants of prior years' recipients, the available funds will be pro-rated among those recipients.

New applicants will receive the second funding priority. Should sufficient funds be unavailable to award all new applicants, awards will be prioritized beginning with the neediest students first.

The Arkansas Department of Higher Education shall notify each eligible applicant of his/her award. The award notice includes the student's name, address, social security number, the actual amount the student is eligible to receive, and the student's first institutional choice as indicated on the application form. The award notice also explains the Arkansas Department of Higher Education's disbursement procedures and conditions, as detailed in Rule 4, of the Higher Education Opportunities Grant.

### V. Eligible Award Notification

Students who are determined to be eligible for participation in the Higher Education Opportunities Grant Program but who have not indicated which Arkansas institution of higher education they will attend shall be classified as eligible. The Arkansas Department of Higher Education shall notify the students of their status as eligible. The notice provides instructions for receiving an award and defines the recipient's responsibilities.

VI. Ineligible and Incomplete Notification

The Arkansas Department of Higher Education shall notify applicants who are determined to be ineligible and provide the reason for ineligibility. They will also be given instructions on how to correct any information on the application they believe to be incorrect. Applicants who fail to submit complete applications, or who fail to supply the required documentation to process the application, will be classified as Incomplete. The Arkansas Department of Higher Education shall notify these students of their status. The Incomplete notice provides a list of the incomplete items and the actions necessary for completion.

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## RULE 4 – GRANT PAYMENT POLICIES

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I. Limits of Payment

A. Payment of Grants

The Arkansas Department of Higher Education shall disburse grant funds to the approved institution of the student's choice. The Arkansas Department of Higher Education shall send funds to the institution via electronic funds transfer or state warrant. After verification of full-time or part-time enrollment, the institution will disburse the grant funds to the student according to the institution's disbursement procedures. The grant fund payment will correspond to academic terms or equivalent time periods at the eligible institution not to include summer terms. The Higher Education Opportunities Grant will be disbursed in equal disbursements during the fall and spring term. In no instance may the entire amount of the grant disbursement for an educational year be paid to or on behalf of such student in advance nor may a student receive grant payments at more than one (1) institution for the same academic term.

B. Transfer of Grants to Another Approved Institution

A recipient who has received a Higher Education Opportunities Grant may transfer the grant to another approved Arkansas institution of higher education, provided that:

1. The student notifies the Arkansas Department of Higher Education, in writing, of the change of status by October 1 for the fall term and by February 1 for the spring term;
2. When transferring institutions between the fall and spring terms, the student must submit a transcript to ADHE, which certifies that the student has maintained a 2.0 GPA at the institution the student is leaving.

#### C. Renewal of Grant

The grant recipient shall receive a grant for one (1) academic year, renewable for up to a total cumulative award amount of \$4,000, provided the recipient maintains at least a 2.0 cumulative grade point average on a 4.0 scale, **maintains satisfactory academic progress and demonstrates financial need.**

A student may not use these funds for educational purposes beyond the baccalaureate degree.

#### D. Cancellation of the Grant

1. The award will be terminated for any of the following reasons:
  - a. Failure to maintain at least a 2.0 cumulative grade point average on a 4.00 scale.
  - b. Failure to ~~receive funds for three (3) academic terms (terms do not have to be consecutive).~~ **maintain satisfactory academic progress.**
  - c. **Failure to demonstrate financial need.**
2. The recipient is responsible for notifying, in writing, the Arkansas Department of Higher Education of any change in status (i.e. transfer to another eligible institution in Arkansas, change in name, etc.) before appropriate deadline dates. Failure to provide written notification may result in the cancellation of the grant for that term.

#### E. Military Service

Recipients who are members of the Arkansas National Guard or Armed Forces Reserve units who are called to active duty for reasons other than regular unit training and are unable to complete the current term will be allowed to repeat the missed term without loss of grant credit. In addition, they will be placed in deferred status until six months after

release from active duty, at which time they must be re-enrolled in an approved institution.

#### F. Repayment of Grant

If the recipient of a grant withdraws, drops out, or is expelled on or after the first day of class of a payment period, the institution will determine whether the student received an overpayment of financial aid funds for non-institutional expenses. Overpayment is the difference between the amount received as cash disbursements and the amount incurred for non-institutional costs during the portion of the payment period that the student was actually enrolled. It is the institution's responsibility to contact students and recover overpayments.

#### G. Refunds

The Higher Education Opportunities Grant Program is entitled to a refund of the grant amount, for that semester, if the recipient of a grant withdraws, drops out, or is expelled on or after his or her first day of class of the payment period and the situation falls under the refund policy of the institution. The institution shall pay the refund to the Arkansas Department of Higher Education.

#### H. Overpayment

If the award of a Higher Education Opportunities Grant results in an overpayment to the student according to the state law governing the anti-stacking of scholarships, the institution shall follow the ADHE policy in reducing the student's financial package to prevent the student from receiving funds above the federally recognized cost of attendance.

## RULE 5 – INSTITUTIONAL RESPONSIBILITIES

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### I. College/University Responsibilities

#### A. Administrative Agreement

The chief executive officer of the eligible institution is responsible for appointing one representative from the financial aid office to act as administrator of the Higher Education Opportunities Grant Program and to receive all communications, forms, etc. This representative is responsible for verification, data and compliance with all program rules and regulations. The institution must comply with all rules and regulations in order to maintain continued eligibility status.

#### B. Disbursement Records

The institution shall maintain information on the student indicating disbursement of grant funds.

#### C. Institutional Verification

The institution shall provide certification of full-time or part-time enrollment, as of the close of business on the eleventh day of classes, by completing a Verification Roster each semester after registration. The Verification Roster is an alphabetical listing by institution of all persons receiving the award for a given academic term. The certifying official is responsible for completing the verification rosters each term. The Arkansas Department of Higher Education shall provide Verification Rosters to the Financial Aid Administrator for each term as needed. The Verification Rosters shall be returned to the Arkansas Department of Higher Education by November 1 for the fall term and by April 1 for the spring term. The Arkansas Department of Higher Education shall also provide continuing eligibility rosters to the Financial Aid Administrator before the end of the spring term. The continuing eligibility rosters shall be returned to the Arkansas Department of Higher Education no later than June 15 to ensure that adequate time is provided to notify students of their status in the program.

#### D. Deadlines for Disbursement of Funds

The deadline for disbursement of funds is no later than 10 days after receipt of funds. Any outstanding funds not disbursed by these dates must be returned to the Arkansas Department of Higher Education. For those students whose applications are received by ADHE too late to allow disbursement by these dates, disbursement will be made within 10 working days of receipt of the verification roster and receipt of funds.

#### E. Due Diligence



The institution will exercise due diligence in providing complete, accurate, and timely information as requested by the Arkansas Department of Higher Education on any Higher Education Opportunities Grant recipient or former recipient. In addition, the institution will exercise due diligence in complying with all the rules and regulations of the Higher Education Opportunities Grant Program. The Arkansas Department of Higher Education shall periodically review the institution's records concerning this program in an effort to exercise its due diligence requirements as a steward of state funds.

## RULE 6 – GRANT RECIPIENT’S RESPONSIBILITIES

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It is the recipient's responsibility to notify the Arkansas Department of Higher Education of any change in status within 21 days. Changes in status will include:

- Change in name
- Change in permanent address
- Change in institution

Failure to notify the Arkansas Department of Higher Education of a change of status may affect future eligibility.

## RULE 7 – PROGRAM DEFINITIONS

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The following definitions are used in the Higher Education Opportunities Grant Program:

<i>ACADEMIC YEAR</i>	fall semester, spring semester, and first and second summer terms in that order.
<i>APPROVED INSTITUTION</i>	a public-supported or private, non-profit postsecondary institution with its primary headquarters located in Arkansas that is eligible to receive Title IV Federal student aid funds

OR

Only under conditions set forth in A.C.A. 6-82-1007, a public or private nursing school located in Arkansas that is approved by the State Board of Nursing and which does not discriminate against employees on the basis of race, color, religion, sex, age, handicap or national origin,

consistent with the provisions of applicable state and federal law.

*CITIZEN* a person who is a U.S. citizen or a permanent resident alien. If the recipient is not a U.S. citizen, but a permanent resident alien, the recipient must attach a copy of the permanent resident alien card to the application.

*ELIGIBLE APPLICANT* any applicant who meets the eligibility criteria established in Rule 2.

~~*FIRST-TIME FRESHMAN* any student currently enrolled as a first-year college student, who has never previously been enrolled as a first-year college student. High school students who complete their senior year of high school while enrolled in a community college or two/four-year college will be considered first-time freshmen in the first year of college enrollment following high school graduation.~~

*FULL-TIME STUDENT* twelve college credit hours or its equivalent per semester for the first semester and fifteen (15) credit hours or the equivalent thereafter.

~~*HIGH SCHOOL GRADUATE EQUIVALENT* any student between sixteen (16) and eighteen (18) years of age who successfully passes the General Educational Development Test in Arkansas during the twelve-month period immediately preceding the year of application to this program.~~

*INDEPENDENT STUDENT* a student who meets the conditions to be deemed as independent for federal financial aid purposes.

*LEGAL GUARDIAN* a person who by court order has been appointed to act in the place of an individual's parent.

*PART-TIME STUDENT* six college credit hours or its equivalent per semester for students

*PROFESSIONAL JUDGMENT* Authority of ADHE professional staff that allows for the special consideration of applications or renewal requests when situations exist that prohibit the student from meeting the exact guidelines as stated, when specific documentation provided by the student, high school, or approved institution shows that the student meets the objectives or purpose of the program.

**QUALIFIED** **A program that is:**

**CERTIFICATE PROGRAM**      **(A) Offered by an approved institution of higher education;**  
**(B) Shorter in duration than an associate degree for which credit hours awarded that are creditable towards an associate degree; and**  
**(C) Recognized by the United States Department of Education for financial aid purposes.**

**TUITION**      charges levied for attendance at an eligible institution of higher education including mandatory fees charged to all full-time or part-time students by the approved institution.

**UNEMANCIPATED CHILD**      a child who is claimed on a parent or legal guardian's income tax return as a dependent and does not meet any of the requirements of an independent student as defined above.