



You've Got Questions – We've Got Answers!

THECB, Grants and Special Programs

Answers to recently asked questions: January 31, 2013

For archived Q&A's, a Q&A cross reference index, program information/webinars, etc., visit:
<https://www1.thecb.state.tx.us/apps/SpecialPrograms/>

FY14 Allocations

Q: When will we know our allocations for the 2013-14 year?

A: As is usually true in a year with a Legislative Session, official funding and program particulars for the upcoming year will be uncertain until the session has ended. Preliminary allocations will be provided as soon as possible, hopefully by the end of March, but they will be guesstimates. Official allocations will not be available until the end of the Legislative Session when the Appropriations Bill is signed by the Governor. Until then, awarding of the state programs for the 2013-14 year will be at your own risk.

Texas Application for State Financial Aid (TASFA)

Q: When will the Texas Application for Student Financial Aid (TASFA) be available for the 2013-14 application period?

A: The 2013-14 TASFA application is already available via the College for All Texas Website. To find the application, go to <http://collegeforalltexas.com> and click on 'Apply for Financial Aid'. On the Apply for Financial Aid page, click on the words 'financial aid application'. This will take you to the available TASFA applications in both English and in Spanish.

TEXAS Grant

Q: We have a student who transferred into our institution to begin working on her bachelor's degree in spring 2012 after graduating with her associate's from a 2-year institution. She was not a recipient of the TEXAS Grant while at the 2-year institution, but did receive a TEXAS Grant award in the Spring 2012 semester as an incoming student at our institution. Since she was only enrolled one semester last year, she did not complete 24 SCH's for the year. Does this make her ineligible for TEXAS Grant consideration this year?

A: This student received an initial TEXAS Grant award in 2011-12. SAP after the initial award year is determined based on the institution's SAP policy. Therefore, if the student is meeting the standards of your institution's SAP policy going into the 2012-13 year, she is meeting the SAP requirements for TEXAS Grant.

Q: Can a TEXAS Grant be awarded to a student enrolled less than 1/2-time?

A: No. TEXAS Grant cannot be awarded to a student enrolled less than 1/2-time – even if the student has an approved hardship situation.

Allocation Transfers

Q: What are the options for transferring allocated funding between programs?

A: Institutions may transfer the lesser of 10 percent or \$10,000 between the Texas College Work-Study Program, TEXAS Grant Program, Texas Educational Opportunity Grant Program, and the Tuition Equalization Grant Program. When determining the 10%, the percentage would be based on the program from which the transfer is being made. If your institution chooses to take advantage of this option, the Grants and Special Programs Office must be informed so that appropriate adjustments/transfers can be made to the allocated amounts. Awards made from the funding transferred to a program must be made according to the receiving program's guidelines.

Tuition Installments

Q: We are a public institution. Currently, we do not offer a payment plan after the first day of class for the fall or spring semesters. Do I remember correctly from a CB session I attended that we can offer payment plans up until the census date?

A: Section 54.007 (<http://www.statutes.legis.state.tx.us/Docs/ED/htm/ED.54.htm#54.007>) of the Education Code requires all public institutions to provide the following for the payment of tuition and required fees for terms of 10 weeks or more:

Option 1: full payment of tuition and fees in advance of the beginning of the semester; or

Option 2: use of installments to pay tuition and fees – the first installment due by an institutionally set due date that is not later than the census date.

Competitive Scholarship Waiver

Q: 54.213 (<http://www.statutes.legis.state.tx.us/Docs/ED/htm/ED.54.htm#54.213>) states that an institution of higher education may charge a nonresident student who holds a competitive scholarship of at least \$1,000 for the academic year or summer term for which the student is enrolled resident tuition and fees without regard to the length of time the student has resided in Texas. Can you please clarify the “or” in the “academic year or summer term”?

A: The student can receive a competitive scholarship or a combination of competitive scholarships totaling at least \$1,000 during the academic year or summer term which will allow the institution to charge the resident rate for the fiscal year. The ‘or’ means that the scholarship or scholarships could be awarded/received in the fall, spring, or summer for the resident rate to be assessed. The waiver is only relevant for the time period indicated in the award notice. If the notice indicates the award is applicable to the entire year, the waiver can be approved to cover the entire year – even if the scholarship is awarded/dispensed all in one semester/term of the year.

Q: 54.213 (<http://www.statutes.legis.state.tx.us/Docs/ED/htm/ED.54.htm#54.213>) states that the student must compete with other students, including Texas residents for the scholarship. If we have a pool of students competing for the scholarship and none of them are Texas residents (all of the students are non-residents), is the scholarship still eligible to be considered competitive?

A: The key is that the scholarship has been advertised to invite both residents and non-residents to apply and compete for the scholarship, and that applications will be accepted from both. It is out of your control if only non-residents apply. You need to be able to document that the scholarship was open to both residents and non-residents.

Q: 54.213 (<http://www.statutes.legis.state.tx.us/Docs/ED/htm/ED.54.htm#54.213>) states that the scholarship must be awarded by a scholarship committee officially recognized by the institution’s administration and be approved by the Texas Higher Education Coordinating Board under criteria developed by the coordinating board. Do the scholarship committees have to be approved by THECB?

A: THECB does not require that a listing of the committee members be submitted for approval. The committee/process must follow the rules adopted by THECB for the competitive scholarship waiver. Refer to the Texas Administrative Code, Title 19, Part 1, Chapter 21, Subchapter SS, Rule 21.2263.

Q: We have a student that is attending another university in Texas while attending our institution. She is receiving a scholarship from that university that qualifies her to receive the Competitive Scholarship Waiver at that institution. She is not receiving any sort of scholarship from our institution. Does she qualify for the Competitive Scholarship Waiver at our institution by virtue of the fact that she qualifies at the other state institution?

A: No, the student would not be eligible for the waiver at an institution where the scholarship is not being received. The waiver is specific to the institution that awarded the scholarship.

Residency

NOTE: Financial aid officers at public institutions should not be making residency decisions. Residency decisions should be made by the admissions/registrar's office, which has received significant training on this topic

Q: We have a student that is disagreeing with our decision concerning her residency status. She wants to know if there is an appeals process with the CB for residency decisions made by our institution.

A: Since residency determination is an institutional decision based on statute/rule, there is not an appeals process per se through the CB. Student disagreements should be vetted through the appropriate chain of command at the institution. Information concerning the Coordinating Board's policy and process for student complaints can be found at <http://www.theccb.state.tx.us/index.cfm?objectid=051F93F5-03D4-9CCE-40FA9F46F2CD3C9D>

Q: One of our students is a foreign émigré who has had employment work permits for a number of years but has never completed the permanent resident process. As I understand it, he only has the right to work and does not have a right to domicile here and therefore be considered a resident based on the type of visa he holds. However, he was married to a US citizen in 2007 and divorced in 2011. He remarried a naturalized US citizen in 2012. Does the fact that he has been married to citizens for an extended period of time allow him to be considered a resident?

A: Depending on the visa type, the student may have the right to establish domicile, and based on how long the student has worked here with the visa, he may have established residency in Texas. Concerning his marriage, it depends on whether or not the citizen the student married in 2012 has established residency yet or not. If they have been married for 12 months and the spouse has established residency (established a domicile in Texas and maintained it 12 months), then that information could be used to support his status as a resident.

Undocumented Students

Q: Would a student with an I-766 work visa be eligible for aid as a HB1403/SB1528 student? His permit is for October 2012 through 2014.

A: In order for students who are not US citizens or Permanent Residents to be considered for state aid eligibility as a HB1403/SB1528 students, they must be determined by your institution (through the residency core questions) to be residents of Texas via the 36 month approach (resided in Texas the 36 months leading up to HS graduation or the receipt of a GED and the year prior to enrollment) AND complete/submit the signed/notarized affidavit attesting to their status promising to file an application to become a permanent resident as soon as they are eligible. The I-766 work visa would not be related to the completion of these requirements.

Tuition Equalization Grant (TEG) Program

Q: Is an otherwise eligible student who drops from full-time (12 SCH's) to part-time (8 SCH's) eligible to keep his/her full TEG award if they are in the last semester of their senior year?

A: If an otherwise eligible student was enrolled on at least a $\frac{3}{4}$ -time basis at the time you disbursed the TEG award to him/her, the award is valid. If a student who receives a valid award drops after disbursement, you will need to follow your institutional policies for drops and refunds after disbursement.

Many institutions have a policy to adjust awards for enrollment changes through the official census date of the semester or term. If this is your policy, and the student dropped after disbursement and before the census date, the student's award would be cancelled due to dropping below $\frac{3}{4}$ -time.

As a reminder, the program hardship provisions can be exercised for enrollment less than $\frac{3}{4}$ -time according to the hardship policy adopted at your institution for the TEG program. If you process a hardship, the award amount must be prorated according to program guidelines.

Younger Students Enrolling in College

Q: We have the mother of an 11 and 12 year old who wants to enroll both children in our institution – a 2 year public institution in Texas. Both children were homeschooled and have been certified by the mother to have completed the high school curriculum requirements. Can they be admitted to our institution, and if so, can they receive funding through the financial aid programs?

A: There are no state laws or rules prohibiting an 11 or 12 year old from enrolling as long as they have met the high school requirements. Age limitations are decided by the institution and should be included in the institution's admissions policy.

If admitted as a regular student, younger students can be considered for the state programs if they meet the program specific eligibility requirements. According to Trevor Summers, Training Officer in the Dallas Regional Office of the Department of Education, there is no minimum age requirement for Title IV eligibility as long as the student is accepted as a regular student in an eligible program.

Texas Public Education Grant (TPEG)

Q: Can a TPEG be awarded to a student enrolled less than ½-time?

A: Yes. There are only two statutory requirements for TPEG eligibility – need and registration with Selective Service (community colleges can opt not to require registration with Selective Service since TPEG is not funded through state revenues at these institutions). Any additional eligibility requirements or restrictions (e.g., enrollment, etc.) are determined at the institutional level and should be documented in the institution's policies, procedures, and TPEG guidelines. Awards should be made in agreement with these guidelines.

Top 10 Percent Scholarship Program

Q: Can a 2nd year student receive the workforce bonus award if he is considered a junior/senior based on hours? Or, do eligible students need to be enrolled in their third or fourth year in college? If a student in their 2nd year can receive the workforce bonus award, does this mean they can potentially continue to receive the award for the 3rd and 4th years as well as long as they continue to meet the eligibility requirements?

A: Yes, a student in the 2nd year can receive the workforce bonus award if he/she is classified as a junior or senior and meets the program eligibility requirements. It is possible that a student in this situation could receive the workforce bonus award for more than two years as long as he/she continues to meet the program eligibility requirements. Please note that unless granted a hardship extension, a student's eligibility ends four years from the start of the semester in which the student received his/her first disbursement of an initial Top 10 Percent award, or upon completion of a bachelor's degree, whichever comes first. A hardship may not be granted to allow an extension of the four-year award limitation, but may be granted to allow for a break within the four-year award period.

Hazlewood Exemption Program

Q: A question has come up whether or not Hazlewood Legacy/dependent benefits count as a resource when determining eligibility for other financial aid. It is our understanding that if a veteran assigns his/her benefits to a dependent, these benefits count as a resource when calculating the dependent's overall financial aid eligibility. Is this correct?

A: Both state and federal VA educational benefits are to be excluded as a resource when determining eligibility for the state financial aid programs – including Legacy and other dependent benefits. However, only the federal VA educational benefits (<http://ifap.ed.gov/eannouncements/081309GuidFedVeteransEdBenefits.html>) are authorized by the feds to be excluded as estimated financial assistance when determining eligibility for the federal programs

Fire Science Exemption

Q: Is the Fire Science Exemption limited to residents?

A: Texas residency is not stipulated in the statute or rule. Therefore, students do not have to be a resident of Texas in order to be eligible for the Fire Science exemption. However, the firefighter must be employed by the State of Texas or a political subdivision of this state.

College Student Budget (CSB) System

Q: I do not recall receiving information concerning the calculated Cost of Living Adjustment (COLA) for 2013-14. Has it been issued?

A: Yes. The cover letter that went out with the CSB instructions included the COLA for 2013-14 of +1.57%. You are not required to use this in the determination of your student budgets. It is provided as a resource.

Change in Financial Aid Director

Q: Does our college need to notify someone at THECB if there is a change in the person heading up the financial aid office?

A: Yes, the college will need to let us know who will be heading the office so that we can make the appropriate updates to external listings, etc. You can inform our office by contacting grantinfo@theeb.state.tx.us and we will make sure the appropriate areas at the CB are notified.