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**IDAPA 08  
TITLE 01  
CHAPTER 09**

**08.01.09 - RULES GOVERNING THE GEAR UP IDAHO SCHOLARSHIP PROGRAM**

**000. LEGAL AUTHORITY.**

These rules are promulgated pursuant to the authority of the State Board of Education (Board) under Section 33-105, Idaho Code. (3-29-12)

**001. TITLE AND SCOPE.**

**01. Title.** These rules shall be cited as IDAPA 08.01.09, "Rules Governing the GEAR UP Idaho Scholarship Program." (3-29-12)

**02. Scope.** These rules constitute the requirements for the GEAR UP Idaho Scholarship Program. (3-29-12)

**002. WRITTEN INTERPRETATIONS.**

In accordance with Section 67-5201(19)(b)(iv), Idaho Code, written interpretations, if any, of the rules of this chapter are available at the Board. (3-29-12)

**003. ADMINISTRATIVE APPEALS.**

Unless otherwise provided for in the rules of the Board or in the Board Governing Policies and Procedures, all administrative appeals allowed by law shall be conducted as provided herein. (3-29-12)

**004. INCORPORATION BY REFERENCE.**

There are no documents that have been incorporated by reference into these rules. (3-29-12)

**005. OFFICE -- OFFICE HOURS -- MAILING ADDRESS AND STREET ADDRESS.**

The principal place of business of the State Board of Education is in Boise, Idaho. (3-29-12)

**01. Mailing Address.** The mailing address is PO Box 83720, Boise, Idaho 83720-0037. (3-29-12)

**02. Street Address.** The State Board of Education's street address is 650 West State Street, Room 307, Boise, Idaho 83702. (3-29-12)

**03. Office Hours.** The office hours are from 8 a.m. to 5 p.m., except Saturday, Sunday and legal holidays. (3-29-12)

**006. PUBLIC RECORDS ACT COMPLIANCE.**

These rules are subject to the provisions of the Idaho Public Records Act, Title 9, Chapter 3, Idaho Code. (3-29-12)

**007. -- 009. (RESERVED)**

**010. DEFINITIONS.**

**01. Dependable Strengths Report.** A tool available on the Idaho Career Information System that assists students in assessing skills and abilities as they relate to career choices and options. Dependable Strengths is accessed via My CIS Portfolio. (3-29-12)

**02. Educational Costs.** Student costs for tuition, fees, room and board, or expenses related to reasonable commuting, books and other expenses reasonably related to attendance a postsecondary educational institution. This cost is determined by the postsecondary institution the student attends. (3-29-12)

**03. Eligible Institution.** (3-29-12)

**a.** A public postsecondary educational institution governed or supervised by the Board, or a board of trustees of a community college established pursuant to the provisions of Chapter 21, Title 33, Idaho Code; or (3-29-12)

- b. Any educational organization located in Idaho that is: (3-29-12)
  - i. Operated privately; (3-29-12)
  - ii. Classified as not-for-profit under the Idaho Code; (3-29-12)
  - iii. Under the control of an independent board and not directly controlled or administered by a public or political subdivision; and (3-29-12)
  - iv. Accredited by an organization recognized by the Board, as provided in section 33-2402, Idaho Code. (3-29-12)
  - v. Eligible for receipt of federal financial aid funding. (3-29-12)
- 04. Eligible Student.** A student who: (3-29-12)
  - a. Is an Idaho resident and who has participated in the early intervention component (7th through 10th grade) of the GEAR UP Idaho program and who has or will graduate from an accredited high school or equivalent in Idaho as determined by the Board in 2012, 2013, or 2014; (3-29-12)
  - b. Has enrolled or applied as a full-time student in an eligible institution for a minimum of twenty-four (24) credit hours in an academic year. (3-29-12)
- 05. Administrator.** The Executive Director of the Idaho State Board of Education or his designee. (3-29-12)
- 011. -- 099. (RESERVED)**
- 100. OBJECTIVES OF THE GEAR UP IDAHO SCHOLARSHIP PROGRAM.**  
The objectives of the GEAR UP Idaho scholarship program are as follows: (3-29-12)
  - 01. Continuation of Education.** To support the continuation of education at the postsecondary level by providing qualified students with a scholarship; and (3-29-12)
  - 02. Successful Completion of Program Activities.** To recognize the successful completion of GEAR UP program activities by student participants. (3-29-12)
- 101. ELIGIBILITY.**
  - 01. Eligible Student.** An applicant must be an eligible student and less than twenty-two (22) years of age at the time the student first receives a scholarship award. (3-29-12)
  - 02. Undergraduate Student.** An eligible student must be enrolled full-time in an undergraduate program at an eligible institution. A student enrolled in an undergraduate program is eligible for consideration for a scholarship award, even if some of the student's courses are at the graduate level. (3-29-12)
- 102. -- 199. (RESERVED)**
- 200. APPLICATION PROCESS.**
  - 01. Initial Applications.** (3-29-12)
    - a. An eligible student who has not yet graduated from an accredited high school or its equivalent in the state of Idaho must complete and submit the GEAR UP Idaho Scholarship Application to the Board electronically on or before the date specified in the application, but not later than January 15th. An applicant without electronic capabilities may receive assistance in completing the electronic application from a high school counselor or from

State Board of Education scholarship staff and may be submitted to the Gear Up Idaho Scholarship Administrator through the United States Postal Service, which must be postmarked not later than January 15th. (3-29-12)

**b.** An applicant must complete and submit the Free Application for Federal Student Aid (FAFSA) on or before February 15th of the year student will graduate from secondary school or its equivalent. (3-29-12)

**c.** An applicant must submit with his or her application a copy of the applicant's Dependable Strengths Report or in lieu of submitting the applicant's Dependable Strengths Report an applicant may submit a one-page essay on the topic "My Unique Dependable Strengths." (3-29-12)

**02. Announcement of Award.** Announcement of the award of initial scholarships for the 2012 - 2013 academic year will be made no later than May 15, 2012, with awards to be effective at the beginning of that academic year. The announcement of award recipients in future academic years will be made no later than May 1. (3-29-12)

**03. Communication with State Officials.** Applicants for initial scholarships must respond by the date specified to any communication from officials of the GEAR UP Idaho Program. Failure to respond within the time period specified will result in cancellation of the application or forfeiture of the scholarship unless extenuating circumstances are involved. (3-29-12)

**201. -- 299. (RESERVED)**

**300. SELECTION OF SCHOLARSHIP RECIPIENTS.**

Applications will be reviewed and awards selected based on financial need, hours of participation in the GEAR UP program and academic preparation based on a combination of the ACT score and cumulative high school grade point average (GPA). Priority will be given to applicants who are eligible to receive Pell grant funding, as determined by the Free Application for Federal Student Aid (FAFSA). (3-29-12)

**01. Academic Eligibility.** (3-29-12)

**a.** Applicants for the GEAR UP Idaho scholarship are selected as recipients, in part, on the basis of their academic performance. The student applicant's high school GPA and ACT composite score are weighed equally to determine an applicant's academic rank. (3-29-12)

**b.** The academic ranking constitutes twenty percent (20%) of the selection ranking. (3-29-12)

**c.** Grade point average (GPA). An eligible student's unweighted GPA will be used to determine the GPA value. (3-29-12)

**d.** ACT Composite Score. Academic applicants must take the ACT exam. The highest composite score from any single test administration taken prior to the application deadline of January 15 will be considered. Applicants will be ranked against other applicants based upon the ACT composite score. (3-29-12)

**02. Financial Eligibility.** (3-29-12)

**a.** Applicants for GEAR UP Idaho scholarship are selected as recipients, in part, on the basis of demonstrated financial need. The primary tool that will be used by the GEAR UP Scholarship Program officials to determine financial need will be the federal FAFSA, used by the United States Department of Education to determine eligibility for financial aid and an expected family's contribution (EFC) to a student's postsecondary education. The financial need of an applicant for a GEAR UP scholarship will be based upon the validated expected family contribution, as identified by the FAFSA report. (3-29-12)

**b.** The financial need factor, as determined by FAFSA, will constitute sixty percent (60%) of the weighting for the selection of recipients of GEAR UP scholarships. (3-29-12)

**03. Participation Eligibility.** (3-29-12)

**a.** Applicants for GEAR UP Idaho scholarships are selected in part on the basis of their participation

in GEAR UP activities. (3-29-12)

**b.** The participation factor will constitute twenty percent (20%) of the selection ranking. (3-29-12)

**c.** Participation is reported in hours. Participation is determined based upon the hours a GEAR UP applicant participated in available GEAR UP activities offered at their school. Applicants will be compared to other applicants from the same school. (3-29-12)

**301. -- 399. (RESERVED)**

**400. GEAR UP IDAHO SCHOLARSHIP AWARD.**

**01. Distribution.** GEAR UP Idaho scholarships will be awarded at each GEAR UP school with distribution based on school population in relation to the over-all state GEAR UP population. (3-29-12)

**02. Monetary Value of the Gear Up Idaho Scholarship.** (3-29-12)

**a.** The monetary value of the GEAR UP Idaho scholarship award to a student is set at the maximum amount of the Federal Pell Grant as established by the Federal government for the given year. (3-29-12)

**b.** The total amount of financial aid from all sources shall not exceed the student's total educational costs. (3-29-12)

**03. Payment.** Payment of scholarship awards will be made in the name of the recipient and will be sent to a designated official at the eligible institution in which the recipient is enrolled. The official must transmit the payment to the recipient within a reasonable time following receipt of the payment. (3-29-12)

**04. Duration.** Scholarships will be awarded on an annual basis and payments will correspond to academic terms, semesters, quarters, or equivalent units. In no instance will the entire amount of a scholarship be paid in advance to, or on behalf of, a scholarship recipient. The scholarship covers up to one (1) educational year or equivalent for attendance at an eligible institution. Request for part-time study must have prior authorization by the GEAR UP Idaho administrator, and if granted, scholarship awards will be reduced proportionally. (3-29-12)

**05. Eligibility.** If a student receives a scholarship payment and it is later determined that the student did not meet all of the eligibility requirements, then the student is considered in overpayment status, and must return program funds in accordance with the eligible institution's refund policy. (3-29-12)

**401. -- 499. (RESERVED)**

**500. CONTINUING ELIGIBILITY.**

To remain eligible for renewal of a GEAR UP Idaho scholarship, the recipient must comply with all of the provisions of the GEAR UP Idaho Program and these rules, in addition to the following requirements: (3-29-12)

**01. Renewal Application.** A scholarship recipient must complete and submit a renewal application in order to be considered for a continuing scholarship for each succeeding year. A completed application for the renewal of a GEAR UP Idaho scholarship must be submitted to the Board electronically by the date established on the application, but not later than January 30. An applicant without electronic capabilities may submit an application on the form established by the GEAR UP Idaho Program administrator through the United States Postal Service, which must be postmarked no later than January 30. In addition, a scholarship recipient must update and submit the FAFSA on or prior to February 15. (3-29-12)

**02. Credit Hours.** To remain eligible for renewal of a scholarship award, the scholarship recipient must have completed a minimum of twenty-four (24) credit hours or its equivalent for the academic year in which the student received a scholarship award. A student must be enrolled in full-time study each term unless prior approval by the program administrator is granted to attend part-time. If a student does not receive a minimum of twelve (12) credit hours in a term, they may not receive the second semester award without seeking approval from the scholarship administrator. (3-29-12)

**03. Satisfactory Academic Progress.** To remain eligible for renewal of a scholarship, the scholarship recipient must have maintained a minimum grade point average of two point zero (2.0) on a scale of four point zero (4.0) during the time that the recipient received an award, and must be maintaining satisfactory academic progress, consistent within federal financial regulations as implemented at the eligible Idaho postsecondary educational institution at which the scholarship recipient was enrolled. (3-29-12)

**04. Transfer Students.** Scholarship recipients who transfer to another eligible institution remain eligible for scholarship renewal. (3-29-12)

**05. Maximum Scholarship Award.** The award of a GEAR UP Idaho scholarship shall not exceed the equivalent of eight (8) continuous semesters or the equivalent of four (4) continuous academic years. (3-29-12)

**501.--- 599. (RESERVED)**

**600. MISCELLANEOUS PROVISIONS.**

**01. Interruption of Enrollment.** A scholarship recipient who requests to take leave from and interrupt enrollment at an eligible institution must submit a letter of intent to interrupt continuous enrollment to the GEAR UP Idaho administrator no later than sixty (60) days prior to the first day of the academic term of the discontinued attendance. Requests can only be made after the completion of one (1) full academic year. Failure to do so may result in forfeiture of any continuing scholarship eligibility. The administrator will review each request for interruption and notify the individual of approval or denial of the request. In addition, the individual must file a statement with the administrator declaring his intent to re-enroll as a full-time undergraduate student at an eligible institution for the succeeding academic year no later than thirty (30) days prior to the first day of the academic term in which the individual intends to re-enroll. If a leave request is granted, the total time that the scholarship will be available to the student shall not exceed the four (4) academic years immediately following the student's graduation from secondary school or its equivalent. (3-29-12)

**02. Reassignment of Scholarships in Case of Discontinuance or Termination.** If a scholarship recipient enrolled in an eligible institution permanently withdraws or is dismissed prior to completion of his or her four (4) academic year scholarship eligibility term, then the GEAR UP Idaho administrator may award the scholarship to another eligible GEAR UP applicant (an alternate recipient) in the same application year. If there are no other alternates from that year, then the administrator may award the scholarship to another qualifying GEAR UP applicant. In the event that an award is made to an alternate recipient, then this new student shall assume the vacant scholarship of the Idaho GEAR UP student who has withdrawn or was dismissed. However, such student shall only receive the benefits of this scholarship for the remaining years of eligibility for the GEAR UP scholarship recipient who withdrew or was dismissed prior to completion of the scholarship eligibility term. (3-29-12)

**03. Reassignment in Case of Leave of Absence.** If a GEAR UP scholarship recipient enrolled in an eligible institution requests and is granted a leave of absence during his or her four (4) academic year scholarship eligibility term, then the GEAR UP Idaho administrator may award the scholarship to another eligible GEAR UP applicant (an alternate recipient) from the same application year for the duration of the leave period. If there are no other alternates from that year, then the administrator may award the scholarship to another qualifying GEAR UP applicant. In the event that an award is made to an alternate recipient, then this new student shall assume the vacant scholarship of the Idaho GEAR UP student who is on an approved leave. However, such student shall only receive the benefits of this scholarship for the term of the leave. (3-29-12)

**601. -- 699. (RESERVED)**

**700. RESPONSIBILITIES OF ELIGIBLE IDAHO POSTSECONDARY EDUCATIONAL INSTITUTIONS.**

**01. Statements of Continuing Eligibility.** An eligible institution participating in this GEAR UP Idaho Scholarship Program must submit statements of continuing student eligibility to the GEAR UP Idaho administrator by the 30th day of each academic term. Such statements must include verification that the scholarship recipient is still enrolled, attending full time, maintaining satisfactory academic progress, and has not exceeded the award eligibility

terms. (3-29-12)

**02. Other Requirements.** An eligible institution must: (3-29-12)

**a.** Be eligible to participate in Federal Title IV financial aid programs, and must provide prompt notification regarding any changes in this status to the State Board of Education; (3-29-12)

**b.** Provide data on student enrollment and federal, state, and private financial aid for students to the GEAR UP Idaho administrator; and (3-29-12)

**c.** Agree to permit periodic GEAR UP Idaho Scholarship Program audits to verify compliance with these rules. (3-29-12)

**701. ADMINISTRATION.**

The GEAR UP Idaho administrator is responsible for: (3-29-12)

**01. Information.** Releasing any public information regarding the GEAR UP Idaho Scholarship Program; (3-29-12)

**02. Recipient Determination.** Determination of scholarship recipients; (3-29-12)

**03. Payment Procedures.** Determination of procedures for payment of scholarships to recipients; (3-29-12)

**04. Accounting.** Maintaining fiscal controls and accounting procedures; (3-29-12)

**05. Program Management.** Authorizing release of all forms, affidavits, and certification necessary for the operation of the program. (3-29-12)

**703. -- 799. (RESERVED)**

**800. APPEALS.**

Any scholarship applicant or recipient adversely affected by a decision made under provisions of these rules may appeal such adverse decision as follows. The opportunity scholarship applicant or recipient must appeal in writing no later than thirty (30) days following notice of the decision, and the written statement must include a statement of the reason the scholarship applicant or recipient believes the decision should be changed. The appeal must be submitted to the GEAR UP Idaho administrator, who must acknowledge receipt of the appeal within seven (7) days. The GEAR UP Idaho administrator shall forward the appeal to the President of the Board. The Board may or may not agree to review the action, or may appoint a subcommittee of three (3) persons, including at least one (1) financial aid administrator at an eligible postsecondary educational institution in Idaho. (3-29-12)

**01. Transmittal to Subcommittee.** If the appeal is transmitted to the subcommittee, the subcommittee will review the appeal and submit a written recommendation to the President of the Board within fifteen (15) days from the time the subcommittee receives the appeal document. The opportunity scholarship applicant or recipient initiating the appeal will be notified by the chairperson of the subcommittee of the time and place when the subcommittee will consider the appeal and will be allowed to appear before the subcommittee to discuss the appeal. (3-29-12)

**02. Subcommittee Recommendations.** Following the subcommittee's decision, the President of the Board will present the subcommittee's recommendation to the full Board at the next regularly scheduled meeting of the Board. The opportunity scholarship applicant or recipient initiating the appeal may, at the discretion of the President of the Board, be permitted to make a presentation to the Board. (3-29-12)

**03. Board Decision.** The decision of the Board is final, binding, and ends all administrative remedies, unless otherwise specifically provided by the Board. The Board will inform the opportunity scholarship applicant or recipient in writing of the decision of the Board. (3-29-12)

**801. -- 999. (RESERVED)**

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