

TITLE 20

UNIVERSITY OF HAWAII

CHAPTER 41

HAWAII STUDENT INCENTIVE GRANT PROGRAM

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SUBCHAPTER 1

GENERAL PROVISIONS

\$20-41-1 Purpose of...

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Hawaii, and the accredited, degree-granting nonprofit institutions of higher education in the State which are owned and operated by one or more nonprofit corporations or associations no part of the net earnings of which may lawfully inure to the benefit of any private shareholder or individual whose principal office is located in the State.

"Financial aids application deadline" means that date, established by each eligible institution, by which an applicant must file an application for

"Grant" means that amount given to an individual student according to these rules and shall include both the federal government's share and the nonfederal matching on a one-to-one ratio.

"Full-time" means registered at the eligible institution on the first day of class for a minimum of twelve credit hours or the equivalent, per semester, or the equivalent.

the institution.

"Undergraduate" means a student enrolled or accepted for enrollment in a program of study leading to a certificate, associate degree, or baccalaureate degree, who has not yet obtained such a degree.

"University" means the publicly supported campuses of the State system of higher education known collectively as the University of Hawaii."

The use of the masculine shall include the feminine and the singular shall include the plural wherever appropriate.

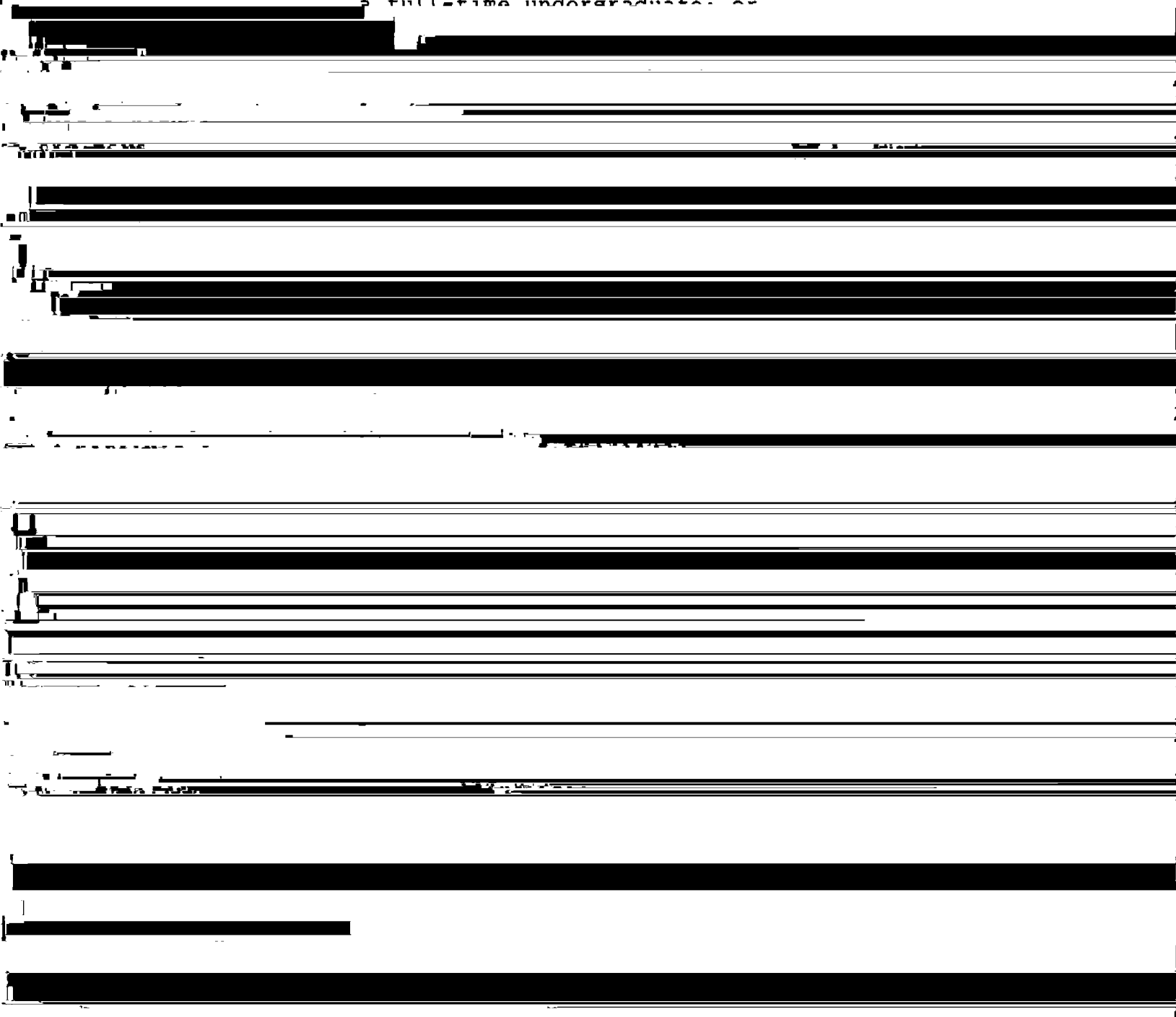
[Eff. JUN 22 1980] (Auth: HRS §305H-2) (Imp: HRS §305H-2)

§20-41-4 Delegation of authority. The commission delegates the authority to administer the Hawaii student incentive grant program to the administrative officer of the commission and an authorized designee in accordance with these rules. [Eff. JUN 22 1981] (Auth: HRS §305H-2) (Imp: HRS §305H-2)

§20-41-5 Severability clause. If any provision of these rules is held to be unconstitutional, the remaining rules, wherever possible, shall be severable from them. [Eff. JUN 22 1981] (Auth: HRS §305H-2) (Imp: HRS §305H-2)

SUBCHAPTER 2

DETERMINATION OF ELIGIBILITY AND THE AWARDDING OF GRANTS

- (5) to the degree of bachelor of divinity; or
Is enrolled in or intends to use the grant to enroll in a non-eligible institution or an otherwise eligible institution which has been determined by the appropriate legal jurisdiction not to be in compliance with a federal or a State statute and the rules adopted thereunder concerning non-discrimination and affirmative action; or
 - (6) At the time of consideration for a grant is not able to demonstrate substantial financial need; or
 - (7) Is not using or at the time of consideration does not intend to use the grant to enroll as a full-time undergraduate; or
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constitutions, statutes, and rules and regulations when providing for the required matching funds. No funds appropriated by the legislature of the State shall be used to match a grant made to an eligible student attending an institution not owned or exclusively controlled by the State or a department of the State. The administrative officer shall be assured by each eligible institution not owned or exclusively controlled

student is ineligible for the Hawaii student incentive grant.

(b) The directors of financial aids shall offer grants first to those applicants with a student eligibility index which is one-half or less of the maximum set for the basic educational opportunity grant program, and second to those applicants with a student eligibility index which exceeds one-half, but is less than that maximum, who also apply to the eligible institution for financial aid on or before the financial aids application deadline, and third to those applicants who are otherwise eligible, but file their applications for financial aid after the financial aids application deadline.

(c) An application for financial aid which is received by an eligible institution after the financial aids application deadline, shall be considered only if funds are available and in the order in which such applications are received. [Eff. JUN 22 1981] (Auth: HRS §305H-2) (Imp: HRS §305H-2)

\$20-41-13 Notification of recipients. The directors of financial aids shall notify in writing the eligible recipient of the offer of a grant and shall require the recipient to accept or decline the offer in writing within a stated time. [Eff. JUN 22 1981] (Auth: HRS §305H-2) (Imp: HRS §305H-2)

\$20-41-14 Deadline for reporting. Beginning with the fall 1977 semester or its equivalent, the directors of financial aids shall submit to the administrative officer a list of all recipients of a grant under this program and the amount of the grant. Such a list shall be submitted one month before the end of each semester or its equivalent. Amended list

§20-41-16 Disbursement of the award. The administrative officer and the directors of financial aids shall conform to federal and State statutes and rules regarding the disbursement of a grant. Payment of a grant shall be made on behalf of the recipient of a grant to the eligible institution at which the recipient is enrolled. Prior to making any such disbursement the directors of financial aids shall certify to the administrative officer the eligibility of a recipient for a grant. [Eff. JUN 22 1981 (Auth: HRS §305H-2) (Imp: HRS §305H-2)]

§20-41-17 Refunds. If a recipient withdraws from an eligible institution or otherwise becomes ineligible for enrollment, no refund of tuition paid in behalf of the recipient shall be made.

aids of the eligible institution shall maintain proper
fiscal records for the Hawaii student incentive
program. Such records shall be maintained in accordance with
federal requirements.

§20-41-25 Hearing processes. (a) The hearing shall be of an informal nature and need not adhere strictly to technical rules followed by the courts of law.

(b) Open hearings will be held or, upon request of the recipient, restricted open hearings or closed hearings will be held. Public attendance at a restricted open hearing may be limited to representatives of the press.

(c) The recipient may request a closed hearing. Such a request shall be received in writing by the hearing officer at least two calendar days in advance of the date set for the hearing. In this hearing the following individuals

be cited by any party and as supported by and in accordance with the reliable, probative, and substantial evidence.

(6) During the hearing and while review and any appeal are pending, the recipient shall enjoy the same status held prior to the allegation.

(e) While strict rules of legal evidence need not be adhered to, the hearing officer may exclude or terminate irrelevant or unduly repetitious evidence or testimony, or do both. The hearing officer shall give effect to the rules of privilege recognized by law. The hearing officer may seek the advice of the attorney general or other attorney in making any ruling and may recess the hearing for this purpose. Documentary evidence may be received in the form of copies or excerpts if the original is not readily available; provided that, upon request the recipient shall have the opportunity to compare the copy with the original. The hearing officer may take notice of judicially recognizable facts. In addition, the hearing officer may take notice of generally recognized technical or scientific facts within his specialized knowledge; but the recipient and the administrative officer shall be notified either before or during the hearing, or by reference in preliminary reports or otherwise, of the material so noticed, and they shall be afforded an opportunity to contest the facts so noticed.

(f) Tape recordings of all testimony, other evidence, and the abstract of the hearing shall be maintained by the hearing officer.

(g) The recipient shall be provided, on request, an abstract of the proceedings of the hearing and shall have access to a verbatim tape recording of the hearing, or a transcript of the recording if requested for purposes of rehearing or court review.

[Eff. JUN 22 198] (Auth: HRS §305H-2) (Imp: HRS §305H-2)

§20-41-26 Findings and decision. (a) Within a reasonable period of time after the completion of the hearing, the hearing officer shall issue findings of fact, conclusions of law, and a decision.

(b) The hearing officer within a reasonable time by certified mail or hand delivery shall in writing notify the recipient and the administrative officer of the findings, conclusions, and decision.

(c) The findings, conclusions, and decision of the hearing officer shall be final within the commission. [Eff. JUN 22 198] (Auth: HRS §305H-2) (Imp: HRS §305H-2)



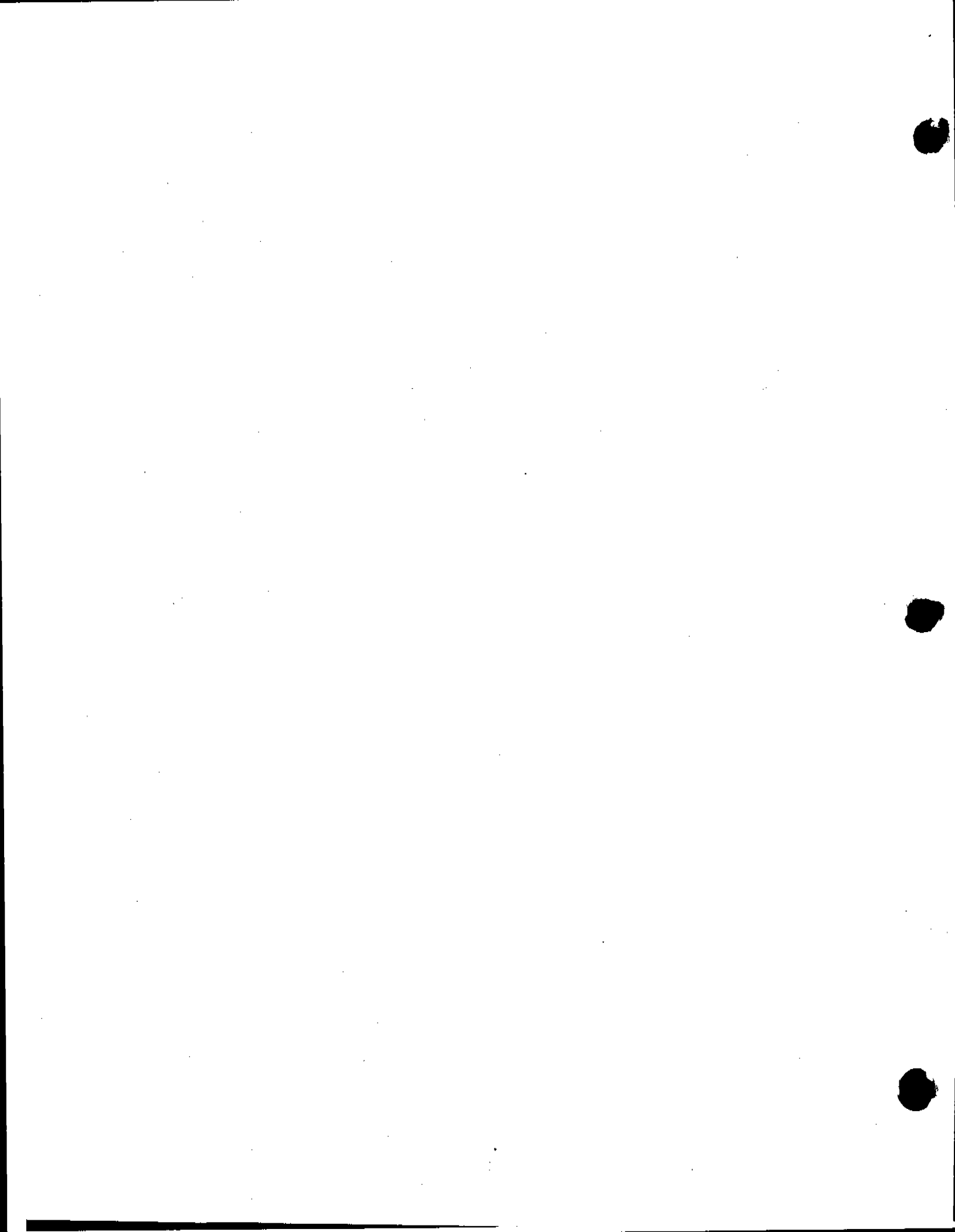
DEFINITION OF "FULL-TIME" AND "PART-TIME"
AS APPLIED TO STUDENTS (6/17/81)

Undergraduate Students

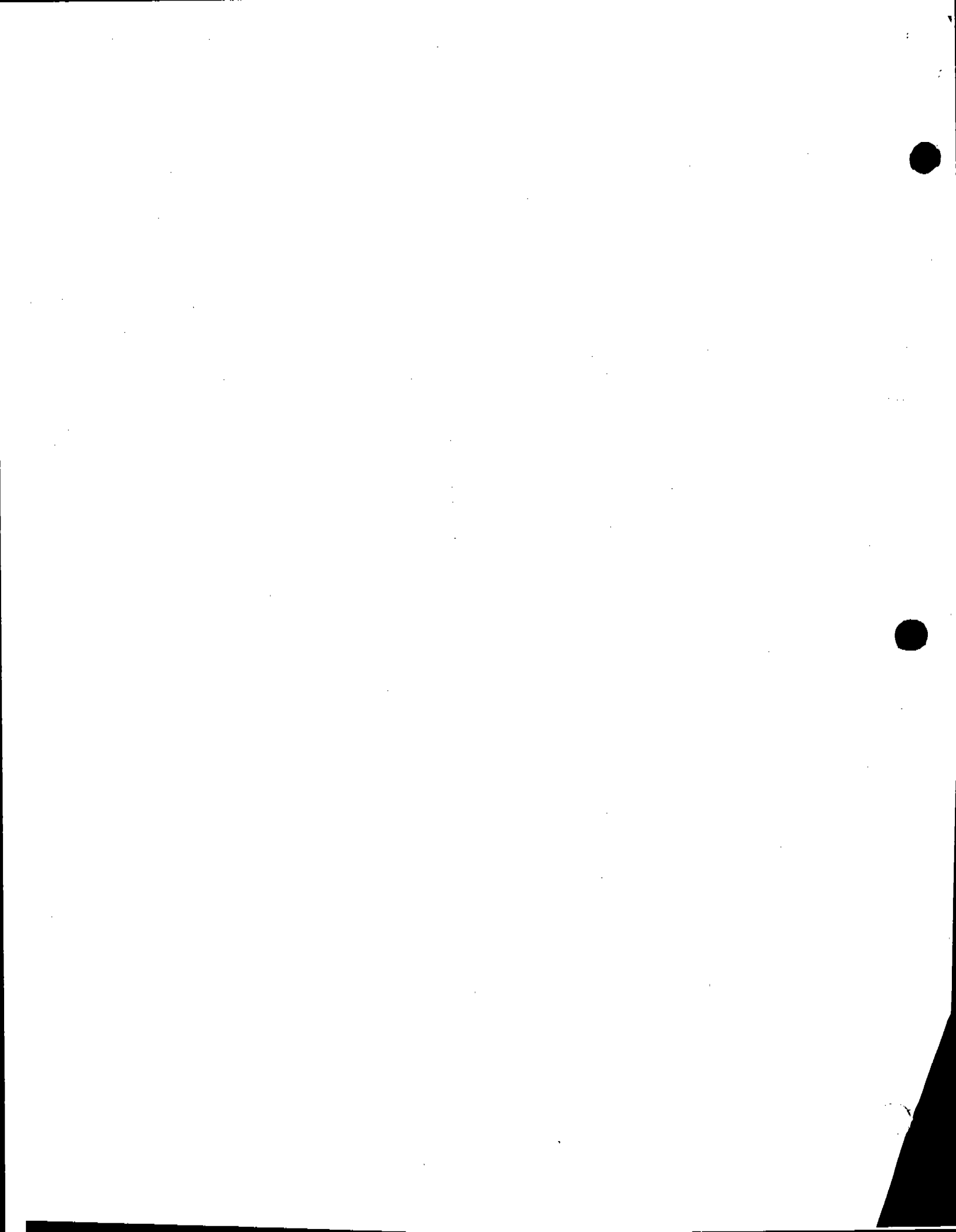
<u>Enrollment status</u>	<u>Credit load per semester</u>
Full time	12 or more credits
3/4 time	9-11 credits
1/2 time	6-8 credits
1/4 time	Ineligible
Less than 1/4 time	Ineligible

Graduate Students

<u>No. of 600-800 level courses</u>	<u>No. of credits by enrollment status</u>				
	<u>F/T</u>	<u>3/4</u>	<u>1/2</u>	<u>1/4</u>	<u>Less than 1/4 time</u>
2 or more	8	6-7	4-5	3	Ineligible
1 plus undergraduate courses	9	7-8	5-6	3-4	Ineligible
0 (100-599 level courses)	12	9-11	6-8	3-5	Ineligible



TITLE 20
UNIVERSITY OF HAWAII
SUBTITLE 3
STATE POST-SECONDARY EDUCATION COMMISSION
CHAPTER 41
HAWAII STUDENT INCENTIVE GRANT PROGRAM



§20-41-3 Definition of terms. As used in this chapter:

"Commission" means the State post-secondary education commission established under chapter 305H, HRS.

*** [Eff 6/22/81; am 7/30/81; am 4/4/88;
am JUL 24 1995] (Auth: HRS §305H-2) (Imp:
HRS §305H-2)

