

Chapter 3. Financial Aid

Subchapter 3–100. General Provisions

Sec. 3–101. Purpose

- a. As a state institution of higher education, the University endeavors to provide higher education for all eligible persons and to assist in the pursuit of their studies those who do not have sufficient financial resources.
- b. The Office of Scholarships and Financial Aid is responsible for administering certain funds for financial aid to students; for keeping abreast of programs relating to financial aid for higher education and to employment opportunities for students funded through federal, state and institutional work-study programs; for disseminating information relating to available financial aid programs and the cost of attending the University to enrolled students and prospective students; and for assisting students who have been accepted for enrollment at the University or who are enrolled at the University in obtaining loans, grants, scholarships, and employment to supplement payment of their educational expenses.

Sec. 3–102. Definitions

In this chapter, unless the context requires a different meaning, the following definitions apply.

1. “Advisor” means the single individual a student has elected to accompany him or her to a meeting with the director or a hearing regarding an aid decision. As the student is solely responsible for presenting his or her case during the hearing, an advisor serves only in a support capacity and may not verbally advocate for the student in a meeting with the director or in a hearing. If an advisor poses a conflict of interest, the director or the Subcommittee on Appeals may elect to excuse his or her presence, and advisors may be dismissed from any proceedings if they disrupt the process.
2. “Aid decision” means a written decision regarding the amount of financial aid award to a student by the University under a financial aid program administered by the Office of Scholarships and Financial Aid and includes the findings of fact in support of the decision.
3. “Day” means calendar day.
4. “The Director” means the assistant vice provost of scholarships and financial aid or the director’s delegate.
5. “Financial aid record” means a student record as defined in subsection 9–202(a)(4) of the *Institutional Rules* that is maintained by the director in connection with a financial aid program administered by the Office of Scholarships and Financial Aid. The record may include applications, forms, notices, hearing records, aid decisions, and other documents required under this chapter or deemed relevant by the director.
6. “Student” means a person who is currently enrolled at the University, or who is accepted for admission or readmission to the University, or who has been enrolled at the University in a prior semester and is eligible to continue enrollment in the semester (including summer) that immediately follows.
7. “University” means The University of Texas at Austin.
8. “Vice Provost” means the vice provost for enrollment management and student success of The University of Texas at Austin, or his or her designee.
9. “Weekday” means Monday through Friday.

Subchapter 3–200. The Director of The Office of Scholarships and Financial Aid

Sec. 3–201. Administration of Financial Aid

- a. The director will administer institutional, state, and federal programs for scholarships, loans, grants, and other specified financial aid in accordance with the legal provisions and limitations, if any, of particular funds, or in accordance with policies recommended by the Committee on Financial Aid to Students.
- b. The director is in charge of the Office of Scholarships and Financial Aid and is administratively responsible to and will report regularly to the vice provost.

Sec. 3–202. Duties of Staff

Staff members will process applications for students who need assistance in financing their educational expenses.

Subchapter 3–300. The Committee on Financial Aid to Students

Sec. 3–301. Membership

- a. The Committee on Financial Aid to Students has fourteen members and at least three administrative advisors. The members are
 1. five members from the General Faculty, representing five colleges or schools of the University, appointed by the president for two-year staggered terms;
 2. two staff members appointed by the president for staggered two-year terms;
 3. five students (four undergraduate and one graduate), including at least two who are receiving or have received financial aid from the Office of Scholarships and Financial Aid; four of the students are appointed by the president from a panel submitted by Student Government; the fifth student is appointed by the president from a panel submitted by the chair of the Graduate Student Assembly; student members will be appointed for two-year staggered terms; and
 4. two members from the Faculty Council, appointed by the chair of the Faculty Council for one-year terms.
- b. The director, a representative of the dean of students, and a representative of the Office of Graduate Studies serve as administrative advisors without vote. The president may appoint additional nonvoting administrative advisors from the general administration areas of the University.
- c. A Subcommittee for Appeals is designated from the full committee. The subcommittee is composed of no fewer than three of the five members from the General Faculty as voting members and the administrative advisors without vote.

Sec. 3–302. Duties of Committee

- a. The full committee initiates and reviews policies and procedures for the Office of Scholarships and Financial Aid.
- b. The Subcommittee for Appeals hears appeals from decisions regarding awards or policies of the Office of Scholarships and Financial Aid and makes recommendations to the director.

Subchapter 3–400. Appeals to the Committee on Financial Aid to Students

Sec. 3–401. Procedure for Denial or Revocation

- a. If a recipient of or an applicant for a loan, grant, scholarship, or Federal College Work-Study job administered by the Office of Scholarships and Financial Aid is not entitled to financial aid, the recipient or applicant will be notified in writing of the denial or revocation of aid and of the reason.

- b. Reasons for the denial or revocation of financial aid include, but are not limited to, the following:
 1. failure to maintain a satisfactory academic record; or
 2. failure to enroll for or to maintain the minimum academic course load requirement; or
 3. failure to show continuing need because of a change in financial status; or
 4. failure to meet requirements established by the financial aid agreement and the Committee on Financial Aid to Students; or
 5. failure to provide required financial documents; or
 6. background indication that the applicant might constitute an unnecessary credit risk in the matter of loans; or
 7. evidence of fraud, or intent to defraud; or
 8. failure to meet federal, state, or institutional requirements for financial eligibility.

Sec. 3–402. Appeal

- a. A person whose aid has been denied or revoked under section 3–401, after exhausting all internal review processes through the Office of Scholarships and Financial Aid, may appeal the decision to the Subcommittee for Appeals.

Sec. 3–403. Appeal to Subcommittee for Appeals

- a. To appeal a denial or revocation of aid to the Subcommittee for Appeals, the student must submit a written appeal to the director. The appeal must state the name of the student, the date the aid decision was issued by the director, and specific reasons for the appeal, including any related argument and all relevant documentation.
- b. The appeal must be submitted by letter or by e-mail within ten days from the date on which the student received the aid decision from the director. A letter will be considered to have been received on the third day after the day of mailing. An e-mail message will be considered to have been received on the second day after the day of sending the message.

Sec. 3–404. Hearing Before the Subcommittee for Appeals

The Subcommittee for Appeals will preside over the hearing and will:

1. determine whether the Office of Scholarships and Financial Aid has satisfactorily performed the requirements of section 3–401 and subsection 3–402(a);
2. facilitate the hearing process, which includes the ability to excuse any party present at the hearing if he or she is disrupting the process; render a written decision, which will contain findings of fact; approve, reject, or modify the decision of the director; and provide the student and the director with a copy of the decision; and
3. certify the record of the hearing.

Sec. 3–405. Duties of the Director

The director, in consultation with the Subcommittee for Appeals, will:

1. set the date, time, and place for the hearing and notify the student of the date, time, and place;
2. arrange for recording the hearing as provided in subsection 3–409(d); and
3. furnish a suitable room, necessary equipment, and clerical assistance for the hearing.

Sec. 3–406. Notice of Hearings

- a. The Office of Scholarships and Financial Aid will notify the student by letter or by e-mail of the date, time, and place for the hearing. The

notice will be delivered in person or sent by e-mail or postal mail to the student at an address listed in the registrar's records.

- b. The notice will specify a hearing date at least ten days after the date the letter or e-mail message is received, unless the student has requested an earlier date as allowed by subsection 3–406(c). A letter or an e-mail message sent to an address listed in the registrar's records will constitute full and adequate notice. A letter will be considered to have been received on the third day after the day of mailing. An e-mail message will be considered to have been received on the second day after the day of sending the message.
- c. The student may request, in writing, that an earlier hearing date be set if feasible to arrange.
- d. Notice sent under subsection 3–406(a) will
 1. direct the student to appear on the date and at the time and place specified;
 2. contain the name of the persons appointed to serve on the Subcommittee for Appeals;
 3. contain the names of witnesses who may testify against the student, copies of all documentation and other evidence that will be offered against the student;
 4. contain a copy of the financial aid decision by the director; and
 5. notify the student that, if the student is advised by an attorney at the hearing, then the Subcommittee on Appeals may be advised by an attorney at the hearing. An advisor may confer with and advise the subcommittee or the student but will not be permitted to question witnesses, introduce evidence, make objections, or present arguments to the subcommittee.
- e. At least five days before the hearing, the Office of Scholarships and Financial Aid will make copies of documents to be introduced at the hearing available to the student.

Sec. 3–407. Preliminary Matters in Hearings

- a. At least five days before the hearing date, the student will furnish the director with a list of any witnesses who may testify on behalf of the student
- b. At least five days before the hearing date, the student will furnish the Subcommittee for Appeals with
 1. any objection that, if sustained, would postpone the hearing; and
 2. the name and relationship of the advisor to the student, if any, who will appear with the student.

Sec. 3–408. Hearing Procedure

- a. The Subcommittee for Appeals will review written arguments and then meet with both parties together to ask questions, seek clarification, and hear any final comments by the parties.
- b. The Subcommittee for Appeals' meeting with the parties is informal and is closed.
- c. Although the hearing will proceed generally as follows, the Subcommittee for Appeals may adjust the sequence of the hearing as necessary to ensure fairness. The hearing will last approximately one hour:
 1. the director reads the aid decision;
 2. the director and the student are each given the opportunity to make an opening statement;
 3. the director is given the opportunity to present the University's witnesses and evidence and the student then has the opportunity to question any of the University's witnesses;
 4. the student is given the opportunity to present his or her witnesses and evidence and the director then has the opportunity to question any of the student's witnesses;
 5. the director and the student are given the opportunity to present rebuttal evidence and argument;

6. the director is given the opportunity to present a recommendation regarding the aid decision under review;
7. the student is given the opportunity to present a rebuttal and recommended outcome;
8. the director is given the opportunity to present a closing statement;
9. the student is given the opportunity to present a closing statement; and
10. the Subcommittee for Appeals decides whether the aid decision made under section 3–401 and subsection 3–402(a) should be upheld, reversed, or modified.

Sec. 3–409. Evidence in Hearings

- a. Legal rules of evidence do not apply to hearings under this subchapter; the Subcommittee for Appeals may admit evidence, including testimony, which possesses value and is commonly accepted by reasonable people in the conduct of their affairs. The Subcommittee for Appeals will exclude irrelevant, immaterial, and unduly repetitious evidence. All evidence admitted during the hearing will be made a part of the record.
- b. A witness will testify unless the testimony is privileged as recognized by law or is excluded by the Subcommittee for Appeals.
- c. The Subcommittee for Appeals will review the aid decision made under section 3–401 and subsection 3–402(a) on the basis of admitted evidence. The Subcommittee for Appeals may consider the student's financial aid record that was admitted into evidence at the hearing in determining an aid decision.

Sec. 3–410. Decision of the Subcommittee for Appeals

- a. Within fourteen days from the completion of the hearing, but not before the certification of the recording and of the transcript, if any, the Subcommittee for Appeals will render a written decision. The student and the director will each be given a copy of the decision. The Subcommittee for Appeals' written decision is the official decision on the matter from which any appeal is taken.
- b. The criteria on which the Subcommittee for Appeals' decision will be based are fairness; reasonableness; compliance with the *Institutional Rules* and federal and state law; and the student's financial aid record, if any. The Subcommittee for Appeals may approve, reject, or modify the director's decision.

Sec. 3–411. Hearing Record

The hearing record consists of

1. a copy of the notice required under section 3–406;
2. the recording of the hearing certified by the Subcommittee for Appeals and the transcript, if any, together with all evidence admitted under section 3–409;
3. written motions and pleas, if any; and
4. the decision of the Subcommittee for Appeals.

Subchapter 3–500. Disciplinary Offenses

Sec. 3–501. Procedures for Initiating Disciplinary Action

When there is evidence of fraud, or intent to defraud, or indications of other disciplinary offenses in regard to a student application for or receipt of aid, the Office of Scholarships and Financial Aid will refer the student to the dean of students for disciplinary action. In addition, in accordance with federal and state law, the Office of Scholarships and Financial Aid will report such actions to the United States Department of Education's Office of the Inspector General.

Sec. 3–502. Disciplinary Review

Disciplinary review for student aid disciplinary offenses will be handled by the Office of the Dean of Students and governed by subchapter 11–200 of the *Institutional Rules*, "Administration of Discipline."