

**KENTUCKY HIGHER EDUCATION ASSISTANCE AUTHORITY**  
**Division of Student and Administrative Services**  
**(Amended at ARRS Committee)**

**11 KAR 5:037. CAP Grant student eligibility.**

RELATES TO: KRS 164.744(2), 164.753(4)

STATUTORY AUTHORITY: KRS 164.748(4), 164.753(4), 164.7535

NECESSITY, FUNCTION, AND CONFORMITY: KRS 164.748(4) requires the Authority to promulgate administrative regulations pertaining to the awarding of grants, scholarships, and honorary scholarships as provided in KRS 164.740 to 164.7891. KRS 164.753(4) requires the Authority to promulgate administrative regulations pertaining to grants. KRS 164.7535 authorizes the Authority to provide grants to assist financially needy part-time and full-time undergraduate students to attend educational institutions in Kentucky. This administrative regulation establishes student eligibility criteria for the college access program.

Section 1. To qualify for disbursement of a college access program grant, a student shall:

- (1) Be a resident of Kentucky;
- (2) Be enrolled at an educational institution as at least a part-time student, as determined by the educational institution, in an eligible program of study and not have previously earned a first baccalaureate or professional degree;
- (3) Demonstrate financial need in accordance with 11 KAR 5:130 and 11 KAR 5:145 for CAP grant assistance;
- (4) Have remaining KHEAA grant limit;
- (5) Not receive financial assistance in excess of the need to meet educational expenses;
- (6) Maintain satisfactory progress in an eligible program of study according to the published standards and practices of the educational institution in which the student is enrolled;
- (7) Satisfy all financial obligations to the Authority under any program administered pursuant to KRS 164.740 to 164.7891 and to any educational institution, except that ineligibility for this reason may be waived by the executive director of the Authority, at the recommendation of a designated staff review committee, for cause;
- (8) Be a citizen of the United States or an eligible noncitizen;
- (9) Be receiving at least part-time credit at an educational institution in an eligible program of study and paying at least part-time tuition and fees to that institution, if the student is studying abroad or off-campus.
- (10) Have been eligible to receive a CAP Grant in the preceding year, if the student is enrolled in an equivalent undergraduate program of study, established by the Authority in 11 KAR 15:090, Section 5;
- (11) Be:
  - (a) Attending an eligible institution with the main campus or headquarters located in Kentucky; or
  - (b) Attending at least fifty (50) percent of courses on-ground in Kentucky if enrolled at an eligible institution with the main campus or headquarters not located in Kentucky; and
- (12) Not be:
  - (a) In default on any loan under Title IV of the federal act, codified at 20 U.S.C. 1070 to 1099, unless eligibility has been reinstated;
  - (b) Liable for any amounts that exceed annual or aggregate limits on any loan under Title IV of the federal act, codified at 20 U.S.C. 1070 to 1099; and

(c) Liable for overpayment of any grant or loan under Title IV of the federal act, codified at 20 U.S.C. 1070 to 1099.

(49 Ky.R. 1370, 1743; eff. 5-30-2023.)

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