

	Iowa Tribe of Oklahoma Policy & Procedure	Date submitted/author: 05/16/2023 BF
	Policy & Procedure #: GS-TA16-01	Executive Director Approval:
	Department: Government Services	Business Committee Approval:
	Program: Tribal Assistance Program	Revision Dates: 10/30/2019; 12/05/2019; 01/14/2020; 06/18/2020, 12/18/2020, 9/27/2021, 2/07/2022, 12/20/2023
Title: Tribal Assistance Program		

Purpose: The Iowa Tribe of Oklahoma (“ITO”) has established the Tribal Assistance Program to promote the general welfare of enrolled ITO Tribal Members in need of assistance who satisfy the program guidelines, through the following ITO Program(s) which were created pursuant to the Tribal General Welfare Act of 2014 and § 139E to the Internal Revenue Code. Pub. L. No. 113-168, 128 Stat. 1883 (2014).”

Definitions:

“*Applicant*” means an enrolled member of the Iowa Tribe of Oklahoma who applies for an ITO Tribal Assistance Program.

“*Infant*” means a child under a certain age pursuant to that particular program.

“*Pay*” means pay or reimburse in whole or in part.

“*Tribe*” means the Iowa Tribe of Oklahoma (“ITO”).

“*Tribal Member*” means an enrolled member of the Iowa Tribe of Oklahoma.

“*Curtilage*” means an area of land around a house and forming one enclosure with it.

“*Principal Residence*” a principal residence is the dwelling that a person inhabits most of the time. It does not matter whether it is a house, apartment, trailer, or boat, as long as it is where an individual lives most of the time. It is also referred to as a primary residence or main residence. For individuals that own multiple properties, only **one** can be considered the principal residence.

General Rule: This Program reflects the ITO’s exercise of its inherent sovereign right to promote the general welfare of the ITO, its self-determination, culture, and tradition, by providing general welfare assistance, including Indian general welfare benefits within the meaning of Internal Revenue Code (the “Code”) Section 139E. The Assistance provided under this Program is intended to qualify for tax free treatment to the fullest extent permitted at law. The following benefits shall be treated as non-taxable hereunder:

1. Benefits that satisfy the requirements for exemption under Internal Revenue Code Section 139E
2. Benefits that are provided under an IRS Safe Harbor Program
3. Benefits that qualify for exclusion under the IRS general test for general welfare exclusion under the common law; and/or
4. Benefits that meet another express exemption under the Internal Revenue Code.

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To establish exempt status under the general welfare exclusion, an Applicant must comply with all Program application procedures and/or complete all required forms as may be required to document satisfaction of all elements required for exclusion under one or more of the above rules. The Applicant must comply with all Program guidelines, and the eligible Applicant must substantiate exempt expenses. Assistance that does not meet the foregoing requirements will be reported as a taxable benefit to the Internal Revenue Service on Form 1099.

Code Section 139E Requirements: The Program is intended to provide benefits that qualify for tax exempt treatment under Internal Revenue Code Section 139E. As such, each payment made, or service provided to or on behalf of an eligible Applicant pursuant to the Program and treated as non-taxable Assistance under the general welfare exclusion shall be subject to the following restrictions as required for compliance with Code Section 139E:

1. Program benefits must be administered under the guidelines specified in this Program and may not discriminate in favor of the members of the governing body of the ITO;
2. Program benefits shall be made available to any Tribal Member
3. Program benefits must be for the promotion of the general welfare of the ITO;
4. Program benefits may not be lavish or extravagant; and
5. Program benefits may not consist of compensation for services unless such services are provided by a vendor. No payment will be made to any individual for services under this Program.

Programs include, but are not limited to; Burial Assistance, Housing Assistance, Hearing Aid Assistance, Elder Assistance, Veteran and Active Military Assistance, Education Assistance, College Assistance, Education Incentive, Education Incentive – Higher Education, High School Senior Assistance, and Hardship Assistance. The Tribe also offers a supplemental healthcare benefit through Luminare Health.

Scope of Eligibility: Tribal Assistance Programs are available to all enrolled members of the ITO who satisfy the guidelines of each individual Program’s specific requirements, subject to the financial ability of the ITO to provide such benefits or services.

Policy: The following guidelines apply *generally* to all assistance Programs:

1. The applicant must be an enrolled member of the Iowa Tribe of Oklahoma.

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2. All requests must be submitted on an official Tribal Assistance Program Application.
3. Forms must be complete, legible, and include all required documents.
4. Incomplete applications will not be processed and will be returned to the applicant for corrections.
5. After one (1) business day, applications may not be cancelled or rescinded once submitted.
6. All receipts must be from January 1 through December 31 of the current year, with date and name of vendor.
7. Fraudulent activity is subject to prosecution. Any fraud investigation of the Iowa Tribe Assistance programs will result in suspension of all Tribal benefits for the duration of the investigation. Further suspension and/or termination of assistance will be determined by the Tribal Court.
8. Allow fourteen (14) business days for processing.
9. The weekly cutoff time for receiving and processing applications is Thursday at 3:00 PM. All requests received after 3:00 PM on Thursday will be processed the following week.
10. All vendors paid by the Tribe must complete and have on file a W-9 Form.
11. If an Applicant's request involves Housing Assistance, the Applicant must provide reasonable documentation to confirm the involved residence is the Applicant's "principal residence" and/or an ancillary structure within the curtilage of the Applicant's principal residence, not used in any trade or business.
12. If the Tribal member is not named on a lease, statement, or bill, a written statement must also accompany the request stating that the Tribal member is residing there.
13. The Tribe will retain confidential files documenting all requests and will shred supporting documents after Three (3) years.
14. In the event the utility account is closed any remaining funds paid by the Iowa Tribe must be returned to the Iowa Tribe of Oklahoma. Funds will be credited back to the Tribal Members tribal assistant account provided the refund is received in the same calendar year.
15. The Iowa Tribe will accept applications for Five (5) business days following the end of each calendar year for *reimbursement applications* only. Applications must be accompanied by a receipt dated within the previous calendar year's eligibility period from January-December.
16. Alcohol, Tobacco, Medical Marijuana and Gambling purchases or reimbursements are excluded from **all** programs.

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1. Burial Assistance

- a. Burial Assistance is provided to assist in the expenses of the funeral and burial cost of a Tribal member; and traditional ITO ceremonial expenses related to the death of the Tribal member.
- b. Amount of assistance: \$9,000
- c. Specific guidelines:
 - 1) The deceased individual must have been an enrolled Tribal Member.
 - 2) The person completing the application on behalf of the deceased family must be the next-of kin. Cases of dispute will be determined by the action of the Tribal Court.
 - 3) The application must be supported by presentation of the death certificate or other official documentation of death provided by a funeral home. If the funeral home is unable to provide documentation in a timely manner, program staff may verify the information via telephone so that the family's portion of the assistance may be paid.
 - 4) Written documentation must be received before the Tribe will release the check to the funeral home.
 - 5) The Tribe will pay up to \$7,500 directly to the funeral home and up to \$1,500 to the family to provide for additional funeral expenses, or the family may request that all funds be paid to the funeral home.
 - 6) Pre-payment of funeral expenses will be made directly to the chosen funeral home with submission of estimate or proposed package.

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2. Burial Assistance – Infants

- a. Burial Assistance for infants is provided to assist in the cost of funeral expenses at the time of death of an infant of an enrolled Tribal member.
- b. Amount of assistance: \$1,500
- c. Specific guidelines:
 - 1) The infant deceased must have been the biological child of an enrolled Tribal member, who, if they had survived, would have been eligible for membership with the Tribe.
 - 2) The application must be supported by presentation of the death certificate or other official documentation of death provided by a funeral home.
 - 3) Total funds will be paid directly to the funeral home.
 - 4) Infant is defined as a child under the age of 2.

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3. Housing Assistance

- a. The Housing Assistance Program is intended to ensure the habitability of the principal residences and ancillary structures that are not used in any trade or business or for investment purposes of Tribal members.
- b. Eligibility: Applicants must be ITO Tribal Members who have attained the age of Eighteen (18) years or older.
- c. Expenses must be incurred in the calendar year of assistance being requested.
- d. Eligibility Time Period: January 1 – June 30, July 1 – December 31.
- e. Amount of assistance: \$4,000 (Allotted \$2,000 January 1 - June 30; \$2000 July 1 - December 31)
- f. Specific guidelines:
 - 1) Eligible items include only Property taxes, property/ rental insurance, utilities, rent payments including security deposits, mortgage, HOA dues, auto insurance, cable, phone, and internet payments. This does not include phone cards, phone purchases, or equipment costs.
 - 2) Applicants should continue paying their household utility/ rent, insurance payments during the processing period. The Tribe is not responsible for late charges that may incur or cut-off notices.
 - 3) Rent, mortgage, HOA dues, utility, property taxes and property/ rental, or auto insurance payments may be paid directly to the vendor.
 - 4) Property Tax payments require the Tribal Member to be listed as a property owner. Only current taxes due will be paid.
 - 5) Reimbursement requests can be submitted along with a receipt providing proof of payment made by the Tribal Member making the request. Receipts in other individuals' names will not be accepted. Reimbursements are for money spent by the Tribal Member to pay Property taxes, property/ rental insurance, utilities, rent, mortgage, HOA dues, auto insurance, cable, phone, and internet payments. Acceptable receipts for payment are:
 - Bank statements
 - Cleared checks from a bank
 - Credits on bills showing a payment was made
 - Receipts from a payment kiosk

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- 6) Utility payments cannot exceed a \$500 credit on the specific account.
- 7) Applications must be supported with an invoice, a current utility bill, current lease, or original, current year receipt of payment.
- 8) Rent paid to an individual will be paid to the property owner only. We can only pay an individual landlord one month of rent per month.
- 9) Pledges to vendors may only be made once a year and cannot be cancelled.
- 10) Full loan agreement must be provided on mortgage and mobile home payment requests; a payment stub is not considered sufficient backup for these requests.
- 11) Applicants must reside at the involved principal residence for at least six months, or the utility deposit paid will revert back to the Iowa Tribe, unless service is transferred to a new location.
- 12) In the event the utility account is closed any remaining funds paid by the Iowa Tribe must be returned to the Iowa Tribe of Oklahoma. Funds will be credited back to the TMs tribal assistant account provided the refund is received in the same calendar year.
- 13) Auto insurance assistance requires that the Tribal Member must be named on the auto insurance policy. A detailed insurance policy identifying the Tribal member's cost is a requirement. The Tribe will only pay the tribal member's portion of the policy.
- 14) No Handwritten receipts will be accepted.

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4. Luminare Health Supplemental Healthcare Benefit

- a. The Tribe has contracted Luminare Health to provide a supplemental benefit card to each Tribal member to quickly process dental, vision, prescription, and other healthcare assistance needs. The website for this vendor is www.luminarehealth.com.
- b. Eligibility Time Period: January 1 – December 31
- c. Amount of assistance: \$3,000 per year per minor and \$4,000 per year per adult (can be used at any time during the year)
- d. Specific guidelines:
 - 1) Each adult Tribal Member will be issued a debit card, called a Benny Card that automatically deducts payment from the member’s benefit account when presented to a health-related vendor that accepts MasterCard. Directions for activating the cards will be mailed to each Tribal Member and are also available on the Luminare Health website.
 - 2) Each minor child will be issued a debit card, and the card will be mailed to the parent/guardian.
 - 3) Tribal members must save their original receipts when using the Benny Card in case an expense must be verified.
 - 4) Samples of eligible items include dental services, lab exams/ tests, vision services, medical equipment supplies and services, medical treatment, medication, medical supplies prescribed by a doctor, and other qualified medical expenses. Detailed information is available on the Luminare Health website.
 - 5) Samples of ineligible expenses include cosmetic surgery, toiletries, diaper service, hair loss medications, hair transplants, health club dues, insurance premiums, marriage counseling and medical marijuana. Detailed information is available on the Luminare Health website.
 - 6) Approved health-related items can be reimbursed by check from Luminare Health by submitting reimbursement request form and receipts. Forms are available at the website.
 - 7) Approved health-related items can be reimbursed by depositing directly into your bank account by submitting a reimbursement request form and receipts.
 - 8) Account balances may be checked online at luminarehealth.com or by calling 1-877-267-3359.

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5. Hearing Aid Assistance

- a. Hearing Aid Assistance is intended to ensure the hearing wellness of all Tribal Members.
- b. Eligibility Time Period: January 1 – December 31
- c. Amount of assistance: \$2,500 initial set-up/ \$1,000 maintenance
- d. Specific guidelines:
 - 1) Open to all ages.
 - 2) Applicants may elect to have funds paid directly to the provider or may be reimbursed for expenses.
 - 3) For provider payments, applicants must be pre-approved before the medical exam. Following approval, a letter of authorization will be issued to applicant to schedule an appointment. The letter must be used with sixty (60) days, or the applicant must re-apply.
 - 4) For reimbursements, applications must be supported by an original, current year receipt before funds are released to the applicant.

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6. Elder Assistance

- a. Elder Assistance is intended to promote the quality of life for Tribal Members who have attained age 55 years and older.
- b. Eligibility Time Period: January 1 - June 30, July 1 – December 31.
- c. Amount of assistance: \$3,000 (Allotted \$1500 January 1 – June 30; \$1500 July 1 - December 31)
- d. Specific guidelines:
 - 1) Items for assistance include but are not limited to: Household expenses and repairs, improvements to adapt housing to special needs, personal costs, appliances, furniture, medical expenses, loan payments, car payments, utility payments, meals through home-delivered meal programs or at a community center or similar facility, home care such as assistance with preparing meals, light housekeeping, adult day care outside the home, and local transportation assistance.
 - 2) Application must be supported by estimated bids, invoices, and current year, original receipts.
 - 3) Gift cards may be requested with an itemization of proposed expenses.
 - 4) Applicants may elect to have funds paid directly to the vendor or may be reimbursed for expenses.
 - 5) For reimbursements, applications must be supported by an original, current year receipt before funds are released to the applicant.
 - 6) No Handwritten receipts will be accepted.

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7. Veteran and Active Military Assistance

- a. Veteran and Active Military Assistance is intended to promote the quality of life and wellness for Tribal Veterans and active-duty military Tribal members.
- b. Eligibility Time Period: January 1 –June 30, July 1 –December 31.
- c. Amount of assistance: \$2,000 (Allotted \$1,000 January 1 – June 30; \$1,000 July 1 - December 31)
- d. Specific guidelines:
 - 1) Items for assistance include but are not limited to: Household expenses and repairs, personal costs, appliances, furniture, medical expenses, loan payments, car payments, cable, and telephone.
 - 2) Application must be supported by copy of DD214 showing honorable or general discharge, or current statement of active-duty military service.
 - 3) Discharges other than honorable will disqualify applicant from the program.
 - 4) Application must be accompanied by estimated bids, invoices, and original, current year receipts.
 - 5) Gift cards may be requested with an itemization of proposed expenses.
 - 6) Applicants may elect to have funds paid directly to the vendor or may be reimbursed for expenses.
 - 7) For reimbursements applications must be supported by an original, current year receipt before funds are released to the applicant.
 - 8) No Handwritten receipts will be accepted.

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8. Hardship Assistance

- a. The Hardship Assistance Program is intended to meet the emergency needs of our Tribal Members.
- b. Eligibility Time Period: January 1 – December 31
- c. Amount of assistance: Hardship requests use any available Household Assistance funds, based on the need(s) of the Applicant not to exceed \$1000 per request.
- d. Specific guidelines:
 - 1) Death of a family member: (Hardship A)
 - 2) Work/School related transportation need: (Hardship B)
 - Tribal Member must be the current owner of the vehicle being repaired.
 - Documentation of ownership must be submitted at the time of the request.
 - 3) Medical emergency: (Hardship C)
 - 4) Payments are made directly to the vendor only; and no direct reimbursements shall be made directly to the Applicant.
 - 5) Each Tribal member is allowed only One (1) request per calendar year.
 - 6) If any other Tribal Assistance Programs offer assistance for the need in question, those avenues should be used and exhausted first.
 - 7) A written statement of need is required from the Tribal Member.
 - 8) Backup documentation is required, such as a death certificate or statement of death, medical statement signed by the doctor, or auto estimate for auto repairs from a repair shop. (All Auto repairs must be submitted BEFORE repairs are made).
 - 9) Medical Emergencies (Hardship C) are for Tribal Members that work full time and will be temporarily out of work for recovery or to take care of a spouse, child or parent and have an immediate need for gas and groceries.
 - 10) Gift cards from Walmart may be used for gas and supplies under the Hardship requests A and C.

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9. Education Assistance Program– Grades 0-12

- a. The Education Assistance Program is intended to promote wellness through the encouragement and promotion of education for all eligible Tribal members who satisfy the specific guidelines of the program.
- b. Eligibility Time Period: January 1 - June 30, July 1 – December 31.
- c. Amount of assistance: \$2,000 (Allotted \$1,000 January 1 – June 30; \$1,000 July 1 - December 31).
- d. Specific guidelines:
 - 1) Student must be enrolled in an accredited public or private school or licensed childcare facility.
 - 2) Expenses include but are not limited to year books, academics, extra-curricular activity participation and supplies, clothing, pictures, class rings, school provided lunches, supplies, lab fees, testing fees, graduation expenses, sports activities, summer academic fees, science projects; computers, laptops, tablets, printers (computers, laptops, and tablets once every 2 years), and required accessories for school-age children pre-K through senior year of high school. (Accessories and graduation cakes are not eligible expenses)
 - 3) Gift cards may be requested for school age children pre-K through senior year. Eligible purchases include any items *required* for school or extracurricular activities, including clothing, shoes, undergarments, school supplies, or computer/ printer. Gift cards may also be requested for ages 0-3, but these gift cards may *only* be used for clothing, shoes, or undergarments (not including diapers or Pull-Ups). **Receipts for all gift cards must be returned to TAP within two (2) weeks from the date the card was received. No exceptions will be made; if receipts are not returned, the applicant will no longer be eligible for gift cards, and Education Assistance will be suspended for the duration of 12 months from the date the cards were received. If the gift card receipts are deemed to have unallowable expenses charged, Education Assistance will be suspended for the duration of 12 months from the date the cards were received.** No more than \$200 in gift cards may be issued at a time. The full amount of gift card(s) must be

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used, and the guardian is responsible for any sales tax or balance exceeding the gift card amount. Legal Guardian may be reimbursed for eligible expenses paid over the gift card amount. Each guardian is responsible for turning in receipts for gift cards issued to them.

- 4) For joint custody, it will be agreed upon by both parents that the Iowa Tribal guardian will be the only guardian to apply for assistance.
- 5) Childcare may be paid; however, vendor must be a Tribal or a state licensed childcare facility.
- 6) Applicants may elect to have funds paid directly to the vendor or may be reimbursed for expenses.
- 7) For reimbursements, applications must be supported by original, current year receipts before funds are released to the applicant.
- 8) Reimbursed funds are paid directly to the applicant or legal guardian if under Eighteen (18) years of age.
- 9) No Handwritten receipts will be accepted.

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10. High School Senior Assistance

- a. The High School Senior Assistance Program is intended to promote the wellness of Tribal Members who will graduate from high school within the Eligibility Time Period listed below.
- b. Eligibility Time Period: Once/lifetime, academic year: August 1 – June 30
- c. Amount of assistance: \$3,000 (Allotted \$1,500 August 1 – December 31 and \$1,500 January 1 – June 30.)
- d. Specific guidelines:
 - 1) The applicant must be a high school senior with a reasonable expectation of graduation within the Eligibility Time Period.
 - 2) Application must be supported by a statement from the high school on official school letterhead, stating the date of planned graduation and signed by a school official.
 - 3) The Iowa Tribe reserves the right to independently verify the submitted statement.
 - 4) Expenses may include senior yearbook, cap and gown, announcements, pictures, class ring, computer (if one has not been purchased within two years under another program), senior trip sponsored by attending High School, college testing, or other related graduation expenses. (Excluding Clothes and Makeup)
 - 5) Applicants may elect to have funds paid directly to the vendor or may be reimbursed for expenses.
 - 6) For reimbursements, applications must be supported by original, current year receipts.
 - 7) Reimbursed funds are paid directly to the applicant or legal guardian if under Eighteen (18) years of age.
 - 8) No Handwritten receipts will be accepted.

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11. College Assistance

- a. College Assistance is intended to encourage and promote education for post - secondary students. (Concurrent high school students are not eligible)
- b. Eligibility Time Period: January 1 - June 30, July 1 –December 31.
- c. Amount of assistance: \$1,600 (Allotted \$800 January 1 – June 30; \$800 July 1 – December 31).
- d. Specific guidelines:
 - 1) Students must show proof of enrollment with current class schedule leading to a degree from an accredited university. (Vocational Training is not covered under College Expense)
 - 2) Expense includes school associated cost including but not limited to supplies, books, technological aides, computers, tablets, or laptops (computers, laptops, and tablets once every 2 years, and if one has not been purchased within two years under another program). No furniture, clothing or transportation will be covered under this program.
 - 3) Applicants may elect to have funds paid directly to the vendor or may be reimbursed for expenses.
 - 4) For reimbursements, applications must be supported by original, current year receipts.
 - 5) Reimbursed funds are paid directly to the applicant or legal guardian if under Eighteen (18) years of age.
 - 6) For all other post-secondary education needs (such as vocational programs) please refer to the Higher Education Program at Iowa Tribe.
 - 7) No Handwritten receipts will be accepted.

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12. Education Incentive

- a. The Education Incentive Program is intended to promote educational achievement of Tribal Members through a one-time incentive payment for completion of the 8th grade, 12th grade, and GED or Vocational training, as listed below.
- b. Eligibility Time Period: January 1 - December 31
- c. Amount of incentive: Individually calculated.
- d. Specific guidelines:
 - 1) Applications must be signed by the education institution supported by the graduation certificate submitted, within 120 days after the close of the semester, verifying completion of the following:
 - \$200 – 8th grade graduate
 - \$300 – 12th grade graduate
 - \$300 – GED Completion
 - \$300 – Vocational training of 800 clock hours or more
 - 2) Funds are paid directly to the applicant or legal guardian if under Eighteen (18) years of age.

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	Iowa Tribe of Oklahoma Policy & Procedure	Date submitted/author: 05/16/2023 BF
	Policy & Procedure #: GS-TA16-01	Executive Director Approval:
	Department: Government Services	Business Committee Approval:
	Program: Tribal Assistance Program	Revision Dates: 10/30/2019; 12/05/2019; 01/14/2020; 06/18/2020, 12/18/2020, 9/27/2021, 2/07/2022, 12/20/2023
Title: Tribal Assistance Program		

13. Education Incentive-Higher Education

- a. The Education Incentive-Higher Education Program is Intended to promote higher education achievement among eligible Tribal Members.
- b. Eligibility Time Period: Once per academic semester
- c. Amount of incentive: Individually calculated.
- d. Specific guidelines:
 - 1) Applicants must be enrolled in an accredited university or taking college courses leading to a degree program.
 - 2) Applications must be supported by an official transcript submitted within 120 days after the close of the semester and/or receipt of grades.
 - 3) The Tribe reserves the right to independently verify the submitted grades.
 - 4) Incentive is calculated by multiplying the dollar amount, which is based on current grade point average (GPA), times the credit hours passed per semester.
 - \$92 – Graduate level
 - \$70 GPA of 3.5 or higher
 - \$65 GPA of 2.5 to 3.49
 - \$60 GPA of 2.0 to 2.49
 - \$00 GPA of less than 2.0
 - 5) Funds are paid directly to the applicant or legal guardian if under Eighteen (18) years of age.

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