

**North Georgia College and State University
Military Scholarship Program**

REGULATIONS - 3100.

2012 - 2013 Award Year



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**2082 East Exchange Place
Tucker, Georgia 30084**

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3102. Program Overview.

The North Georgia College and State University Military Scholarship Program is a merit-based and competitive student financial aid program that provides funding covering the full cost of education for four years at North Georgia College and State University. Recipients incur an obligation to serve as a commissioned officer in the Georgia Army National Guard after graduation. The Georgia General Assembly finds that North Georgia College and State University is widely recognized as one of only six senior military colleges in the nation. This program enables outstanding Georgia students to attend North Georgia College and State University and then serve their state and country as officers in the Georgia Army National Guard. Applicants must have demonstrated academic achievement in high school and be nominated for the scholarship by a member of the Georgia General Assembly. A limited number of recipients are chosen each year by a committee from a pool of qualified applicants.

The North Georgia College and State University Military Scholarship Program was created beginning with the 1981-1982 Award Year (State Fiscal Year 1982). This program is funded by state general revenue. The Georgia Student Finance Commission administers the program, in accordance with the Official Code of Georgia Annotated §20-3-420 et. seq., in its entirety.

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3103. Definitions.

“Academic Excellence” means at least a 3.00 cumulative grade point average on a 4.00 scale at the high school level. A student who graduated from an accredited home study program with a 3.00 cumulative grade point average meets the requirements of Academic Excellence. A student who earned a score from a single test administration, in the national composite eighty-fifth percentile or higher, on a standardized college admission test, such as the SAT or ACT, meets the requirements of Academic Excellence if such student at any time after June 30, 1993, completed a Home Study program that is not an Eligible High School, or graduated from a high school that is not an Eligible High School, or did not graduate from a high school or did not complete a Home Study program, but rather, received a General Educational Development (GED) diploma that was awarded by the Technical College System of Georgia.

“Academic Year” means a period of time, usually nine months, during which a Full-Time student is expected to complete the equivalent of two semesters or three quarters of postsecondary coursework.

“Administrative Review” means a review by Commission staff of an eligibility determination made by an Eligible Postsecondary Institution or by the Commission to determine if a Military Scholarship program rule, policy, or regulation was applied correctly in a student’s specific case.

“Associate Degree” means a two-year Degree conferred on students by a postsecondary institution upon completion of a unified Undergraduate program of study in an academic discipline or major. Associate Degrees typically require a student to earn at least 60 semester or 90 quarter credit hours.

“Audit” means the act of a student attending a course for personal development, with the understanding and agreement of his or her postsecondary institution that no credit hours or grade will be earned for that course.

“Authority” means the Georgia Student Finance Authority, the agency responsible for administering certain postsecondary educational student financial aid programs offered by the State of Georgia, and other programs for which funds may be appropriated or assigned to it by the State Legislature, or from other sources, from time to time.

“Award Year” means two consecutive semesters, beginning with the fall term and ending with the spring term, or the Non-Standard Term equivalent, or the Non-Term equivalent.

“Award Year Reconciliation” means a final student-by-student reconciliation for an Award Year conducted by postsecondary institutions with the Commission.

“Baccalaureate Degree” means a four-year Degree conferred on students by a postsecondary institution upon completion of a unified Undergraduate program of

study in an academic discipline or major. Baccalaureate (Bachelor's) Degrees typically require a student to earn at least 120 semester or 180 quarter credit hours.

“Board of Regents” means the governing body overseeing the University System of Georgia.

“Commission” means the Georgia Student Finance Commission, the agency responsible for administering certain postsecondary educational student financial aid programs offered by the State of Georgia, and other programs for which funds may be appropriated or assigned to it by the state legislature, or from other sources, from time to time.

“Compliance Review” means an assessment by the Commission of an Eligible Postsecondary Institution by evaluating the Eligible Postsecondary Institution's compliance with the regulations governing programs administered by the Commission, in accordance with the Commission's *Compliance Review Process and Procedures* document.

“Continuing Education” means postsecondary courses designed for personal development or an extension of the traditional on-campus learning process, and does not lead to credit toward a postsecondary Certificate, Diploma or Degree.

“Cost of Attendance” means the estimated expenses, both direct and indirect, which may be incurred by a student and the student's family, to finance the cost of receiving a postsecondary education. As determined by the student's postsecondary institution and as defined by Federal Title IV Regulations, these expenses include tuition, fees, room, meals, books, supplies, transportation, and personal expenses.

“Degree” means an Associate Degree or Baccalaureate Degree conferred on students by a postsecondary institution upon completion of a unified Undergraduate program of study in an academic discipline or major.

“Distance Learning” means an educational process that is characterized by the separation, in time or place, between instructor and student. It may include courses offered principally through the use of television, audio, video cassettes/discs, correspondence, audio/computer conferencing, and transmission by computer, Internet, open broadcast, closed circuit, cable, microwave, or satellite.

“Dual Credit Enrollment” means an arrangement whereby a high school student is Enrolled in postsecondary coursework with a postsecondary institution and earning postsecondary credit hours while continuing to pursue a high school diploma, and the student's high school has agreed to accept the postsecondary coursework as credit toward the student's high school graduation requirements.

“Eligible High School” means any private or public secondary educational institution located within the state of Georgia authorized to grant high school diplomas and is, has been accredited by the Southern Association of Colleges and

Schools, the Georgia Accrediting Commission, the Georgia Association of Christian Schools, the Association of Christian Schools International, the Georgia Private School Accreditation Council, or the Southern Association of Independent Schools. If the institution is not located in the State of Georgia, then it must be currently accredited by the Southern Association of Colleges and Schools or one of the following entities: New England Association of Schools and Colleges, Middle States Association of Colleges and Schools, North Central Association of Colleges and Schools, Northwest Accreditation Commission, Western Association of Schools and Colleges, the Alabama Independent School Association, the Southern Association of Independent Schools. Any high school not meeting the definition of an "Eligible High School" is considered to be an ineligible high school.

"Eligible Non-Citizen" means a person who, in accordance with the Federal Title IV Regulations, is a United States permanent resident with a Permanent Resident Alien Card (I-551 or I-151); or a conditional permanent resident (I-551C); or the holder of an Arrival-Departure Record (I-94) from the Department of Homeland Security showing any one of the following designations: "Refugee", "Asylum Granted", "Parolee" (I-94 confirms paroled for a minimum of one year and status has not expired); or "Cuban-Haitian Entrant". Victims of human trafficking, in accordance with the Victims of Trafficking and Violence Protection Act, may also be considered Eligible Non-Citizens. Persons with an F1 or F2 student visa, a J1 or J2 exchange visitor visa, or a G series visa are not Eligible Non-Citizens.

"Enroll", "Enrolled", or "Enrollment" means a student has completed the registration requirements, as defined by the postsecondary institution, except for payment of tuition and fees.

"Exception" means a formal action by the Commission to waive a specific program regulation for a student.

"Federal Title IV Program(s)" means the student financial aid programs administered by the United States Department of Education that are authorized by Title IV of the Higher Education Act of 1965, as amended.

"Forbearance" means a delay in repayment for a specified period of time based on extenuating circumstances as described in these regulations.

"Four-Year Award" means a Military Scholarship award to an eligible student for four Award Years, with a four-year service obligation.

"Freshman" means a first-year postsecondary student who is fully admitted and Enrolled in a Matriculated status to seek a Degree, and has earned less than 30 semester hours of credit.

"Full-Time" means Enrollment for the equivalent of at least 12 semester credit hours during a term at a postsecondary institution.

“GCollege411” means the Commission’s website that provides information on careers, Georgia’s postsecondary institutions, student financial aid, and accesses electronic college and financial aid applications.

“GED” means General Educational Development diploma awarded by the Technical College System of Georgia.

“Georgia Army National Guard” means the civilian militia of the State of Georgia, in accordance with the O.C.G.A. §38-2-3, which is a branch of the United States Armed Forces with both federal and state government responsibilities.

“Georgia Resident” or “Georgia Residency” means an individual or the status of such individual who is a United States citizen or Eligible Non-Citizen and meets the in-state Tuition requirements of the Board of Regents as specified and limited by these regulations.

“Home Institution” means a postsecondary institution in which the student is Enrolled and is in a Matriculated status working toward a Degree.

“Home Study” means an arrangement whereby a school-age child is involved in a course of study in which instruction is carried out at home rather than in a classroom and is governed by and operating in accordance with the requirements of § 20-2-690 (c).

“Host Institution” means a postsecondary institution a student is temporarily attending as a Transient student.

“Joint Enrollment” means an arrangement whereby a high school student is Enrolled in postsecondary coursework with a postsecondary institution while continuing to pursue a high school diploma, and the high school has not agreed to accept the postsecondary coursework as credit toward the student’s high school graduation requirements.

“Learning Support” means remedial or developmental coursework required by the postsecondary institution or chosen by the student that does not count toward program requirements for college Degrees, Diplomas or Certificates.

“Matriculated” means a student is fully admitted and Enrolled at a postsecondary institution in a unified academic program of study leading to Degree, Certificate or Diploma.

“Military Personnel” means an active member of the Armed Forces of the United States, including members of the Army, Navy, Air Force, Marine Corps, and Coast Guard. Commissioned officers of the Public Health Service or the National Oceanic and Atmospheric Administration on active duty are also considered to be Military Personnel.

“Military Scholarship” means the North Georgia College and State University Military Scholarship program, as authorized by the O.C.G.A. §20-3-420.

“Non-Standard Term” means a term in which all coursework is expected to begin and end within a set period of time, but is not a semester, trimester, or quarter term. Non-Standard terms may be of unequal length within an Award Year.

“Non-Term” means a program of study measuring progress in clock hours, or a program of study measuring progress in credit hours and has courses that do not begin and end within a set period of time, or has courses that overlap, or has sequential courses that do not begin and end within a term.

“North Georgia College and State University” or “NGC&SU” means a unit of the University System of Georgia with its main campus located in Dahlonega, Georgia. This public postsecondary institution offers four-year Undergraduate Degrees, as well as professional and graduate programs of study. It serves as a liberal arts university for all of its students and as a military college for its cadets. NGC&SU is one of only six senior military colleges in the United States.

“One-Year Award” means a Military Scholarship award to an eligible student for one Award Year, with a one-year service obligation.

“Required Academic Standards” means maintaining at least a 2.50 cumulative grade point average for all attempted Degree coursework. If a student drops below a 2.50 cumulative grade point average for two consecutive semesters, then he or she is not maintaining the Required Academic Standards for purposes of the Military Scholarship.

“Reserve Officers’ Training Corps” or “ROTC” means a college-based military officer commissioning program of study designed to develop well-trained junior officers for the Army National Guard or any branch of the armed services of the United States.

“Satisfactory Academic Progress” means the academic standards required of students by their postsecondary institutions in order to be eligible to receive payment from Federal Title IV Programs, in accordance with Federal Title IV Regulations.

“Selection Committee” means the company of individuals responsible for selecting the recipients of the Military Scholarship and additional duties. The membership, in accordance with O.C.G.A. § 20-3-423, shall be comprised of the:

- 1) chief executive officer of NGC&SU or designated representative;
- 2) professor of military science at NGC&SU or designated representative;
- 3) director of admissions of NGC&SU;
- 4) civilian faculty member of NGC&SU designated by the chief executive officer of NGC&SU;
- 5) commissioned officer of the Georgia Army National Guard designated by the adjutant general;
- 6) chairperson of the House Higher Education Committee or designee from that committee;

- 7) chairperson of the Senate Higher Education Committee or designee from that committee;
- 8) executive director of the Commission or designated representative.

“Study Away” means postsecondary credit-earning coursework approved by an Eligible Postsecondary Institution for its students in locations outside the State of Georgia, including locations in foreign countries.

“SURFER” means the Commission’s web-based system used by Eligible Postsecondary Institutions to electronically transmit and receive student data, award information, and conduct other administrative activities related to the Commission’s scholarship and grant programs.

“Term-Reconciliation” means an official acknowledgement by an authorized official of an Eligible Postsecondary Institution, at the end of each term, that the number of students submitted for payment and amount invoiced by the institution and the number of students awarded and amount issued by the Commission, according to the SURFER system, are accurate on the date of such acknowledgement.

“Transient” means temporary admission to a Host Institution for the purpose of completing coursework and earning postsecondary credit that the Home Institution has agreed to accept as transferable postsecondary credit.

“Three-Year Award” means a Military Scholarship award to an eligible student for three Award Years, with a three-year service obligation.

“Two-Year Award” means a Military Scholarship award to an eligible student for two Award Years, with a two-year service obligation.

“Undergraduate” means coursework that is included in a postsecondary program of study leading to an Associate Degree or Baccalaureate Degree.

“University System of Georgia” or **“USG”** means the State of Georgia’s unified system of public colleges and universities, which are governed by the Board of Regents.

“Withdrawal Date” means the date the student withdraws, as determined by the institution in accordance with the procedures set forth for determining Withdrawal Date under the Higher Education Act of 1965, as amended.

3104. General Eligibility Requirements.

3104.1. Citizenship.

A student must be a United States citizen or an Eligible Non-Citizen for 12 consecutive months immediately prior to the first day of classes of the school term for which Military Scholarship payment is sought.

3104.2. Georgia Residency.

- a. A student must meet the Georgia Residency requirements of the Board of Regents for 12 consecutive months immediately prior to the first day of classes of the school term for which Military Scholarship payment is sought. If NGC&SU grants a Military Personnel out-of-state tuition waiver, then such student meets the Georgia Residency requirements of the Military Scholarship. No out-of-state tuition waiver, other than for Military Personnel and their dependents, qualifies students for Military Scholarship eligibility.
- b. A student, who was correctly determined to meet the Georgia Residency requirements and began receiving Military Scholarship payment, will continue to meet the Georgia Residency requirements for purposes of Military Scholarship eligibility, unless he or she has a break in Enrollment of two or more consecutive semesters or quarters and resides outside of Georgia for 12 or more consecutive months. If such student later returns to Georgia, he or she must re-establish Georgia Residency for 12 consecutive months, (in accordance with *Section 3104.2.a.*), before regaining Military Scholarship eligibility. A student who has a break in Enrollment of two or more consecutive semesters or quarters, and who resides outside Georgia for less than 12 consecutive months, and then later returns to Georgia and Enrolls in NCG&SU within 12 consecutive months from his or her most recent date of Enrollment at NGC&SU, will continue to meet the Georgia Residency requirements for purposes of Military Scholarship eligibility.

3104.3. Enrollment Status.

- a. A student must be Enrolled at NGC&SU in a Matriculated status leading to an Undergraduate Degree.
- b. A student must be Enrolled as a Full-Time student for the school term, in order to be eligible to receive Military Scholarship payment for the school term.

3104.4. Satisfactory Academic Progress.

A student must maintain Satisfactory Academic Progress, as defined and certified by NGC&SU.

3104.5. Selective Service Registration.

A student must be in compliance with the United States Selective Service System requirements, if such requirements are applicable, prior to the Military Scholarship program application deadline date.

3104.6. Defaulted Loan or Refund Due.

A student must not be in default on a Federal Title IV or State of Georgia educational loan, nor owe a refund on a Federal Title IV or State of Georgia student financial aid program, nor in any other way be in violation of Federal Title IV Regulations or State of Georgia student financial aid program regulations. A student must meet the requirements of this section at the time funds are disbursed by the Commission on behalf of the student. If such student has repaid the defaulted loan or refund due in full, or resolved the default status, then he or she may be eligible to receive Military Scholarship payment beginning with the school term in which repayment was made in full, but not retroactively for previous school terms. A student's default status can be resolved by one of four ways: 1) complete an acceptable rehabilitation plan, 2) having the loan repurchased by the original lender and the default status reversed, 3) by consolidating the loan out of a default status, or 4) by receiving an approved Title IV debt settlement, to include a compromised settlement.

3104.7. Georgia Drug-Free Act.

A student convicted of committing certain felony offenses involving marijuana, controlled substances, or dangerous drugs, is ineligible for Military Scholarship payment from the date of conviction to the completion of the following school term, in accordance with the Georgia Drug-Free Postsecondary Education Act of 1990, O.C.G.A. § 20-1-24.

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3105. Program Specific Eligibility Requirements.

3105.1. Eligibility Requirements for a Four-Year Award.

In order for a student to be eligible for a Four-Year Award, he or she must meet all of the eligibility requirements of Section 3104. and Section 3105.1.

- a. A student must have demonstrated Academic Excellence at the high school level, as defined in these regulations.
- b. A student must meet the mental and physical standards required for commission in the Georgia Army National Guard, as determined and certified by the Georgia Army National Guard.
- c. A student must qualify for regular admission as an entering Freshman at NGC&SU.

3105.2. Eligibility Requirements for a Three, Two, and One-Year Award.

A Three-Year Award, Two-Year Award, or One-Year Award may become available to an eligible student if a recipient of the Military Scholarship fails to maintain eligibility in accordance with *Section 3104.* or chooses to terminate his or her participation, therefore creating a vacancy in the Military Scholarship program. The Selection Committee may choose an eligible student to fill a vacancy for the remaining period of the vacated Military Scholarship award. In order for a student to be eligible for a Three-Year Award, Two-Year Award, or One-Year Award, he or she must meet all of the eligibility requirements of *Section 3104.*

3105.3. Maintaining Eligibility.

- a. A student must be Enrolled and participating in the ROTC program at NGC&SU in order to receive Military Scholarship payment for the school term.
- b. A student must maintain the Required Academic Standards, as defined in these regulations, unless waived by the Selection Committee by majority vote.
- c. A student must maintain membership in good standing in the Georgia Army National Guard.
- d. A student must demonstrate qualities required of a commissioned officer of the United States Armed Forces, as determined and certified by the commandant of cadets at NGC&SU and the student's unit commander with the Georgia Army National Guard.
- e. A student, who continues to meet all of the eligibility requirements of the Military Scholarship program, may receive Military Scholarship payment for no more than eight semesters of Full-Time study, or the equivalent.

- f. An otherwise eligible student who has already obtained a Baccalaureate Degree, and who is in a Matriculated status working toward a second or additional Undergraduate Degree, is eligible for Military Scholarship payment.

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3106. Eligible Coursework.

3106.1. Joint and Dual Credit Enrollment Coursework.

A student is ineligible for Military Scholarship payment while participating in Joint Enrollment or Dual Credit Enrollment coursework.

3106.2. Learning Support Coursework.

A student seeking a Degree, who Enrolls in Learning Support coursework, is eligible for Military Scholarship payment for such coursework, if he or she meets all program eligibility requirements.

3106.3. Coursework Exemptions.

A student is ineligible to receive Military Scholarship payment for coursework that was exempted or given credit by examination, testing, training, or experience.

3106.4. Distance Learning Coursework.

A student participating in Distance Learning coursework is eligible to receive Military Scholarship payment if all other eligibility criteria are met, including Enrollment as a Full-Time student at NGC&SU.

3106.5. Transient Coursework.

A Transient student is ineligible for Military Scholarship payment, regardless of whether NGC&SU is the student's Home Institution or Host Institution.

3106.6. Study Away Coursework.

- a. A student Enrolled in a Matriculated status at NGC&SU, who meets all other Military Scholarship eligibility requirements, may qualify for payment while participating in a Study Away program.
- b. Prior to the student's departure, NGC&SU must approve the Study Away program for credit toward the student's Degree.
- c. The Military Scholarship award must be the amount the student would normally receive while attending NGC&SU.
- d. The Military Scholarship payment must take place through NGC&SU.

3106.7. Continuing Education and Audit Coursework.

A student is ineligible to receive Military Scholarship payment for coursework classified by NGC&SU as Continuing Education or Audit coursework.

3106.8. Total Withdrawal from Coursework.

A student is ineligible for Military Scholarship payment for coursework from which he or she totally withdrew if, as a result, such coursework does not appear on the student's academic transcript as a "Withdrawal" or any other type of identification.

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3107. Student Application Requirements.

3107.1. Application Forms.

A student must apply for a Military Scholarship by completing the North Georgia College & State University Military Scholarship application, which is printable from the GAcollege411 website.

3107.2. Application Deadline Date.

A student must complete and submit an application with the NGC&SU financial aid office on or before the last day of the school term or the student's Withdrawal Date, whichever occurs first, in order to be paid for that school term. The last day of the school term is the last day of classes or exams for the institution, whichever occurs later. Supplemental documentation required by the institution or the Commission to support or verify a student's application information may be submitted after the deadline without jeopardizing the student's eligibility

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3108. Selection Process and Duties.

3108.1. Selection of Recipients of Four-Year Awards.

- a. The Commission shall, on or before February 1st of each year, select six eligible students from each of Georgia's thirteen congressional districts, who were nominated for a Four-Year Award by members of the Georgia General Assembly.
- b. From the nominees selected by the Commission, three from each of the thirteen congressional districts shall be selected by the Selection Committee as recipients of a Four-Year Award.
- c. In the event a congressional district does not have three qualified nominees, the Selection Committee may select a candidate at-large from the alternate nominees, without regard to the nominee's congressional district of residence. The total number of Four-Year Awards shall not exceed thirty-nine.

3108.2. Selection of Recipients of Three, Two, and One-Year Awards.

A Three-Year Award, Two-Year Award, or One-Year Award may become available if a recipient of the Military Scholarship fails to maintain eligibility in accordance with *Section 3105.3*. or chooses to terminate his or her participation, therefore creating a vacancy in the Military Scholarship program. The Selection Committee may choose a NGC&SU student to fill such vacancy for the remaining period of the vacated Military Scholarship award. In order for a student to be eligible for a Three-Year Award, Two-Year Award, or One-Year Award, he or she must meet all of the eligibility requirements of *Section 3104*.

3108.3. Additional Duties of the Selection Committee.

- a. The Selection Committee shall officially notify each nominee who was selected as a recipient of a Four-Year Award.
- b. The Selection Committee shall officially notify each member of the Georgia General Assembly of the names of the recipients of Four-Year Awards from their congressional district.
- c. The Selection Committee shall officially notify the Commission of the names and addresses of the recipients of Four-Year Awards, Three-Year Awards, Two-Year Awards, and One-Year Awards.
- d. The Selection Committee shall publish and maintain the Required Academic Standards and conduct necessary for the continued eligibility for a Military Scholarship, in accordance with *Section 3105.3*.

- e. The Selection Committee shall monitor the performance of all recipients of the Military Scholarship in accordance with *Section 3105.3*.

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3109. Award Requirements.

3109.1. Awards Amounts.

The Military Scholarship award amount shall cover all costs at NGC&SU for tuition, fees, on-campus room and board charges, uniform deposits, and an allowance for books and supplies. The dollar amount necessary to meet these costs for each Award Year is assessed by NGC&SU.

3109.2. Award Amount Reductions.

A student's Military Scholarship award amount shall not be reduced or withheld because of aid the student may be receiving from Federal Title IV Programs or private sources, even if the student's total aid exceeds the student's Cost of Attendance. (Refer to *Section 3109.3.*) However, a student is ineligible to receive Military Scholarship payment for a school term in which he or she is receiving any other financial aid authorized by the laws of the State of Georgia, including, but not limited to, the North Georgia College and State University ROTC Grant program and the North Georgia College and State University Future Officers ROTC Grant program.

3109.3. Awards Per School Term.

Military Scholarship payment is available to students for the standard school terms of fall semester and spring semester. NGC&SU does not currently offer the ROTC program of study for the Summer term. NGC&SU may combine mini-terms or modules to form the equivalent of a standard semester. NGC&SU may offer Non-Standard Terms or Non-Terms, in which courses or modules are taken consecutively to form the equivalent of a standard semester. Regardless of the structure of the school terms, a student may only receive Military Scholarship funds for a maximum of two semesters per Award Year. The amount disbursed on behalf of a student for each semester is half of the Award Year amount (Refer to *Section 3109.1.*).

3109.4. Student Notification of Award.

NGC&SU should notify each Military Scholarship recipient of the amount of funds he or she is awarded for the Award Year, and identify such funds as a North Georgia College and State University Military Scholarship award.

3110. Invoicing Requirements.

3110.1. Submission of Invoices.

- a. NGC&SU may submit invoices to the Commission as early as 15 calendar days prior to the first day of classes for the school term.
- b. Invoices must be submitted, processed and approved by the Commission by the Invoicing Deadline Date as established by the Commission. In the event invoices are submitted to the Commission by Eligible Postsecondary Institutions after the Invoicing Deadline Date for a school term, the Commission may issue a notice of failure to meet the Invoicing Deadline Date to the President and/or governing body of the Eligible Postsecondary Institution and the invoices may not be honored.
- c. Prior to the beginning of any award year and no later than June 30 of each year, the Commission shall establish and publish the Invoicing Deadline Dates for each school term for the upcoming Award Year.

3110.2. Payment of Invoices.

Military Scholarship funds are paid to NGC&SU by electronic transfer of funds, on behalf of eligible students each school term, upon submission to the Commission of a Military Scholarship invoice.

3110.3. Payment to Students.

Military Scholarship funds may be applied to any of NGC&SU's direct charges, such as tuition, fees, room and meals. If a student does not owe a balance, the institution shall pay over the same or any remaining amount of the award to the student.

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3111. Refund Requirements.

3111.1. Calculation of Refund Amounts.

- a. If the student officially withdraws, drops out, drops hours, is expelled, or otherwise fails to complete a period of Enrollment, and is entitled to a refund, a portion of such refund may need to be returned to the Military Scholarship fund.
- b. If the student received Federal Title IV Program funds, in addition to Military Scholarship funds, NGC&SU must first apply the Federal Title IV Return of Funds policy for any federal aid received. To determine the refund to the Military Scholarship program, the NGC&SU must then apply the institution's refund policy, if different from Federal Title IV Return of Funds policy, to the student's original Military Scholarship award.
- c. If the student received Military Scholarship funds, but did not receive Federal Title IV Program funds, NGC&SU must apply the institution's refund policy, if different from Federal Title IV Return of Funds policy, to the student's original Military Scholarship award.
- d. NGC&SU must determine the amount of the refund due back to the Military Scholarship program. The amount of the Military Scholarship award not determined to be owed back to the Military Scholarship program is retained by NGC&SU to cover the institutions' cost for the portion of the school term that the student was enrolled.
 1. NGC&SU must adjust the student's invoice in SURFER to the new award amount remaining after the refund is calculated within 45 days of the determination.
 2. If NGC&SU has sufficient funds on hand to return to the Commission the refund owed to the Military Scholarship program, it should return the funds within 45 days of the refund determination. NGC&SU would then collect the refund amount from the student. However, the student should not be reported with a "Refund Due" status to the Commission since the funds have been repaid to the Commission.
 3. If NGC&SU does not have sufficient funds on hand to return to the Commission the refund owed to the Military Scholarship program, the student is considered to have a "Refund Due" to the Commission and the institution must report the student to the Commission with a "Refund Due" status.

3111.2. Collection of Refunds.

A student who owes a refund to the Commission should pay NGC&SU and NGC&SU should pay the Commission or, at its sole discretion, the Commission

may require the student to pay the refund directly to the Commission. Nothing herein shall be deemed to prohibit the Commission or NGC&SU from using all available legal and equitable remedies to collect the refund.

3111.3. Emergency Military Duty.

- a. A student who is a member of the Georgia Army National Guard receiving funds from the Military Scholarship program who is called to emergency military duty during a school term that is already in progress should not have his or her Military Scholarship eligibility negatively impacted. If NGC&SU allows the student to totally withdraw and receive a grade such as “WM” for “military withdrawal” or the institution totally removes all coursework for that term (grades and corresponding credit hours) from the student’s records, the institution should cancel the student’s Military Scholarship award on SURFER, and return the full amount of the award to the Military Scholarship account.
- b. If a student is called to active duty while Enrolled at NGC&SU, and otherwise maintaining eligibility for the Military Scholarship program, the Commission will reserve, to the fullest extent permitted from such funds appropriated by the Georgia General Assembly, such student’s Military Scholarship eligibility for reinstatement upon his or her return to NGC&SU. Such student is expected to Enroll again at NGC&SU no later than the second semester beginning after his or her return from active duty or to show cause why Enrollment was postponed.

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3112. Reconciliation Requirements.

3112.1. Term-Reconciliation.

NGC&SU must conduct a Term-Reconciliation prior to the end of each term. A Term-Reconciliation consists of an official acknowledgement by an authorized school official that the number of students and amount invoiced by the institution and the number of students awarded and amount issued by the Commission, according to the SURFER system, is accurate on that date. The Commission will not issue funds for the following school term until the Term-Reconciliation is complete. Surplus funds are not returned to the Commission as part of the Term-Reconciliation process.

3112.2. Award-Year Reconciliation.

In addition to the Term-Reconciliations, NGC&SU must conduct the Award-Year Reconciliation. The institution must conduct a complete student-by-student Award-Year Reconciliation with the Commission, and submit a Reconciliation Certification Form to the Commission by July 15th, immediately following the completion of the Award Year.

3112.3. Return of Funds.

NGC&SU must return to the Commission any funds not utilized according to the Award-Year Reconciliation within 30 days of completing the Award-Year Reconciliation process. The institution must have a procedure in place to ensure that the Military Scholarship funds do not go to an unintended third party (i.e. State, institution).

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3113. Records Retention Requirements.

3113.1. Length of Retention.

NGC&SU shall maintain accurate records, books, documents and other evidence concerning the Military Scholarship program, including, but not limited to individual student files for the later of three years after the Award Year in which the aid was awarded; or for such other period as required by an applicable statute, rule, or regulation; or such other time as requested in writing by the Commission.

3113.2. Documentation.

- a. Documentation contained within an individual student file or record, which supports the original determination of a student's eligibility, must be retained by the institution and available for review by the Commission on the institution's campus, located within the State of Georgia, for at least three years after the most recent Award Year for which the student received Military Scholarship funds. (Refer to *Section 3115*.) NGC&SU is permitted to maintain these documents in an imaged media format. The imaged media format must be capable of reproducing an accurate, legible, and complete copy of the original document.
- b. Such documentation may include, but is not limited to, copies of Permanent Resident Alien Cards, Georgia State Income Tax Returns, and applications for student financial aid. Documentation regarding a student's eligibility is not limited to files, records, and other information received and maintained by the institution's student financial aid office. Documentation supporting a student's eligibility that is received and maintained by the institution's admissions office, registrar's office, business office, and other administrative operations of the institution must be available to the Commission for the purpose of Program Reviews. It is the institution's responsibility to resolve any inconsistencies or conflicting information within a student's records, prior to awarding or disbursing Military Scholarship funds to the student.

3113.3. Extended Retention.

NGC&SU must retain student records involved in a Program Review, audit, or investigation for more than the three-year retention period, described above, if the three-year retention period expires before the issue in question is resolved. The institution must continue to retain all associated records until resolution is reached.

3114. Administrative Reviews and Exceptions.

3114.1. Administrative Reviews.

- a. The North Georgia College and State University Military Scholarship Program Regulations are applied to each student considered for Military Scholarship funds by appropriate officials of NGC&SU and by the administrative staff of the Commission. If a student believes a Military Scholarship rule or regulation was incorrectly applied in his or her case, the student has the right to file a request for an Administrative Review with the Commission. The Commission will review the case and determine whether the rule or regulation was applied correctly and notify the student and institution of the determination.
- b. In order for an Administrative Review to be considered, the student must submit a written request for an Administrative Review to the Commission office within 45 days of receiving notice of denial. If additional information is requested from the student, it must be provided within the time frame specified by the Commission. The Commission decides a case based only on documentation provided, rather than a personal presentation.

3114.2. Exceptions.

Requests for Exceptions to the North Georgia College and State University Military Scholarship Program Regulations cannot be considered, reviewed, or granted under any circumstances.

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3115. Compliance Reviews.

3115.1. Compliance Review Policy.

The Commission may conduct Compliance Reviews of the Military Scholarship program at NGC&SU in order to assess the institution's administration of the program and compliance with the program's regulations. Compliance Reviews are conducted in accordance with the Commission's *Compliance Review Process and Procedures* document, which is available on the *gsfc.org* website under *School and Lender Information-Compliance Documents*.

3115.2. Compliance Review Process.

- a. The Commission selects a sampling of the institution's recipients, for the Award Year under review, and the institution's files and records for the sample are examined to assure compliance. The institution must have all student-records, which document and support the eligibility of that institution's recipients, available for review by the Commission on the institution's campus. (Refer to *Section 3113*.)
- b. The Commission will exclude from review the Residency determinations and Satisfactory Academic progress (SAP) determinations, as they relate to Sections 3104.2.a. and 3104.4 of these regulations, made for NGC&SU Military Scholarship recipients in the selected sample for NGC&SU if NGC&SU has submitted to the Compliance Department of Georgia Student Finance Commission a certification signed by the President of NGC&SU that NGC&SU is in compliance with its policies and procedures in the determination and the administration of the financial aid award process relative to Residency requirements and Satisfactory Academic Progress, and that the Residency and SAP determinations have been fairly and consistently applied with respect to all students receiving the NGC&SU Military Scholarship awards. Such certification must be submitted annually to the Compliance Department of Georgia Student Finance Commission.

Failure to provide such certification will result in a review of Residency determinations and SAP determinations made for NGC&SU Military Scholarship recipients in the selected sample.

3115.3. Institutional Repayment.

- a. If a recipient is determined, by the Commission, to have been ineligible for payment, the institution may be required to repay to the Commission the funds awarded to the recipient.
- b. If later evidence, not available at the time of awarding, indicates that a student should not have received Military Scholarship payment, then all future awards must be canceled. NGC&SU is held harmless by the Commission, if the student's file is appropriately documented with available evidence and it is

determined by the Commission that the institution was not at fault. Evidence is considered unavailable at the time of awarding if it is not available in the student's institutional files (i.e. financial aid, admissions, registrar, etc.). The institution must notify the student and the Commission of a refund due. The student is ineligible to receive additional state aid from the Commission until the refund is paid in full, in accordance with Section 3111.2. If the student's file is determined, by the Commission, not to be adequately documented during a Compliance Review, then the institution may be responsible for the repayment.

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3116. Fulfillment of Military Scholarship Obligation.

3116.1. Obligation Upon Loss or Surrender of Military Scholarship.

- a. If, while participating in the Military Scholarship program, a recipient of a One-Year Award, Two-Year Award, Three-Year Award, or Four-Year Award fails to meet the standards and requirements for continued eligibility and retention, in accordance with *Sections 3104 and 3105*, or otherwise surrenders his or her participation in the Military Scholarship program, the Selection Committee shall promptly notify the Commission of the recipient's removal from participation in the Military Scholarship program. Such recipient shall fulfill his or her Military Scholarship obligation by either one of the following two methods, at the option of the recipient.
 1. Such recipient shall serve as an enlisted member of the Georgia Army National Guard or United States Army for not less than the number of years corresponding to the period or number of years of his or her Military Scholarship award, as stipulated on the recipient's Military Scholarship promissory note.
 2. Such recipient shall pay the Commission a dollar amount equal to the amount of Military Scholarship funds received by the recipient, plus 8% per annum simple interest, within five years after graduation from NGC&SU, or within five years of termination of Enrollment at NGC&SU. Interest begins to accrue from the date that participation in the Military Scholarship program ends.
- b. If such recipient is unable to honor his or her service obligation, in accordance with *Section 3116.1.a.1*, for bona fide reasons of health, as jointly verified by the Commission and the Selection Committee, then *Section 3116.1.a.1* shall not apply to such recipient.
- c. In the event of a recipient failing to meet the requirements for continued eligibility, in accordance with *Sections 3104 and 3105*, the Selection Committee may select a student to fill the vacancy for the remainder of such recipient's Military Scholarship award. (Refer to *Section 3105.2*.)

3116.2. Obligation Upon Graduation.

- a. Upon graduation from NGC&SU, a recipient who maintained eligibility for the duration of his or her One-Year Award, Two-Year Award, Three-Year Award, or Four-Year Award, shall accept a commission as a second lieutenant and fulfill his or her Military Scholarship service obligation by one of three methods.
 1. Such recipient shall serve as a commissioned officer in the Georgia Army National Guard for at least the number of years corresponding to the period

or number of years of his or her Military Scholarship award, as stipulated on the recipient's Military Scholarship promissory note.

2. Upon certification of the adjutant general of the Georgia Army National Guard that no need exists in the Georgia Army National Guard at the time of the commencement of the recipient's period of service, such recipient may serve as a commissioned officer on active duty in the United States Army for at least the number of years corresponding to the period or number of years of his or her Military Scholarship award, as stipulated on the recipient's Military Scholarship promissory note.
 3. Upon certification of the adjutant general of the Georgia Army National Guard that no need exists in the Georgia Army National Guard at the time of the commencement of the recipient's period of service, such recipient may fulfill his or her obligation by a combination of service as a commissioned officer on active duty in the United States Army and the Georgia Army National Guard that totals at least the number of years corresponding to the period or number of years of his or her Military Scholarship award, as stipulated on the recipient's Military Scholarship promissory note.
- b. If a recipient fails to honor his or her obligation to serve as a commissioned officer in the Georgia Army National Guard or the United States Army, in accordance with *Section 3116.2.a.*, such recipient shall fulfill his or her Military Scholarship obligation by either one of the following two methods, at the option of the recipient.
1. Such recipient shall serve as an enlisted member of the Georgia Army National Guard or United States Army for not less than the number of years corresponding to the period or number of years of his or her Military Scholarship award, as stipulated on the recipient's Military Scholarship promissory note.
 2. Such recipient shall pay the Commission a dollar amount equal to the amount of Military Scholarship funds received by the recipient, plus 8% per annum simple interest, within five years after graduation from NGC&SU, or within five years of termination of enrollment at NGC&SU. Interest begins to accrue from the date that participation in the Military Scholarship program ends.
- c. If such recipient is unable to honor his or her service obligation, in accordance with *Section 3116.2.a.*, for bona fide reasons of health, as jointly verified by the Commission and the Selection Committee, then *Section 3116.2.a.* shall not apply to such recipient.

3116.3. Service Cancellation.

- a. Any period of time that a recipient serves in the Georgia Army National Guard or the United States Army prior to or while participating in the Military Scholarship program shall not reduce or cancel any portion of the recipient's Military Scholarship obligation.
- b. Any period of time that a recipient serves in the Georgia Army National Guard or the United States Army after participation in the Military Scholarship program shall reduce, on a prorated basis, the dollar amount owed. The dollar amount which is cancelled by each month of service is determined by dividing the total dollar amount of the original obligation by the number of months of the original service obligation. Interest on the remaining dollar amount owed begins to accrue from the date that service in the Georgia Army National Guard or United States Army ends.

3116.4. Deferments.

Deferments may be granted on a case-by-case basis upon the approval of the Commission and the Selection Committee. Each deferment must be in accordance with the intent and purpose of the Military Scholarship program. Such deferments would extend the five-year repayment period by the length of the deferment. Interest would continue to accrue during the deferment period. The option to cancel the obligation through service, including accrued interest, would continue to remain available to the former recipient.

3116.5. Forbearance of Repayment.

A student may apply for a forbearance of repayment under certain conditions listed below:

- a. The Forbearance options available under the Federal Family Education Loan Program or the William D. Ford Federal Direct Loan Program as authorized by Title IV of the Higher Education Act of 1965 as amended.
- b. To qualify for a deferment or forbearance, a student shall notify the Commission in writing of his or her claim and provide supporting documentation as required by federal law, state law or program regulations.