North Georgia College and State University
ROTC Grant Program

REGULATIONS - 1300.

2012 - 2013 Award Year

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Georgia Student Finance Commission
LOANS ◢ SCHOLARSHIPS ◢ GRANTS

2082 East Exchange Place
Tucker, Georgia 30084

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1302. Program Overview.

The North Georgia College and State University ROTC Grant Program provides grant assistance to residents of Georgia seeking Undergraduate Degrees and participating in the Reserve Officers' Training Corps as Full-Time students at North Georgia College and State University. The Georgia General Assembly finds that it is essential for the national defense that persons are encouraged to consider military leadership positions as an honorable and rewarding career, and that North Georgia College and State University performs a significant role in preparing and training students for professional life in the military. The ROTC Grant promotes this effort by providing eligible students with financial assistance toward their educational costs at North Georgia College and State University.

State revenues provide the funding for this program. The award amount received by the students each Award Year, and the total amount of funds appropriated for the program, is established by the Georgia General Assembly during the prior legislative session and is subject to change during the Award Year.

The North Georgia College and State University ROTC Grant Program began with the 1977-1978 Academic Year (State Fiscal Year 1978). The Georgia Student Finance Commission administers the ROTC Grant program, in accordance with the Official Code of Georgia Annotated §20-3-430 et. seq., in its entirety.

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1303. Definitions.

"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 ROTC Grant program rule, policy, or regulation was applied correctly in a student's specific case.

"Application Deadline Date" means the last date on which a student can file an application for the program.

"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.

"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 of 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 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 postsecondary institution and defined by Federal Title IV Regulations, these expenses may 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 toward the student's high school graduation requirements.

"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 U.S. Department of Education that are authorized by Title IV of the Higher Education Act of 1965.

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

"GAcollege411" 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.

"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.

"Graduate" means a postsecondary program of study beyond the Baccalaureate Degree.

"GSFAPPS" means Georgia Student Financial Aid Application System, the Commission's web-based electronic application system by which students can apply for the scholarship and grant programs administered by the Commission.

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

"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 an 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 a 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.

"Non-Standard Term" means a term where 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 specific 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.

"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.

"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.

"SURFER" means the Commission's web-based system used by 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 a 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.

"Tuition" means the charges to a student for postsecondary academic instruction without regard to other fees such as technology, activity, athletic, health, etc.

"Undergraduate" means coursework that is included in a postsecondary program of study leading to an Associate Degree or Baccalaureate Degree, and is not included in a Graduate program of study.

"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.

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1304. General Eligibility Requirements.

1304.1. 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 ROTC Grant payment is sought.

1304.2. Georgia Residency.

a. A student attending NGC&SU meets the Georgia Residency requirements for purposes of ROTC Grant eligibility, if he or she meets the requirements to be classified as a Georgia Resident according to the Board of Regents' in-state Tuition policy for 12 consecutive months immediately prior to the first day of classes of the school term for which the ROTC Grant was sought. If NGC&SU grants a Military Personnel out-of-state Tuition waiver, then such student meets the Georgia Residency requirements of the ROTC Grant. No out-of-state Tuition waiver, other than for Military Personnel and their dependents, qualifies a student for ROTC Grant eligibility.

b. A student, who was correctly determined to meet the Georgia Residency requirements and began receiving ROTC Grant payment, will continue to meet the Georgia Residency requirements for purposes of ROTC Grant 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, (Refer to *Section 1304.2.a.*), before regaining ROTC Grant 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 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 ROTC Grant eligibility.

1304.3. 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 ROTC Grant payment for the school term.

1304.4. Satisfactory Academic Progress.

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

1304.5. 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 ROTC Grant program application deadline in order to be eligible for ROTC Grant payment for that school term.

1304.6. Defaulted Loan or Refund Due.

A student must not be in default on a Federal Title IV Program or State of Georgia educational loan, nor owe a refund on a Federal Title IV Program or State of Georgia student financial aid program, nor in any other way be in violation of Federal Title IV Program 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 ROTC Grant 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 Program debt settlement, to include a compromised settlement.

1304.7. Georgia Drug-Free Act.

A student convicted of committing certain felony offenses involving marijuana, controlled substances, or dangerous drugs, is ineligible for ROTC Grant 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.

1305. Program Specific Eligibility Requirements.

1305.1. ROTC Participation.

A student must be Enrolled in the Reserve Officers' Training Corps at NGC&SU in order to receive ROTC Grant payment for a school term.

1305.2. Eligibility Limit.

a. A student who meets all ROTC Grant eligibility requirements is eligible for ROTC Grant payment, regardless of the number of credit hours or school terms for which he or she has received ROTC Grant payment.

b. A student is eligible for ROTC Grant payment regardless of whether he or she has earned a Baccalaureate Degree. 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 ROTC Grant payment.

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1306. Eligible and Ineligible Coursework.

1306.1. Joint Enrollment and Dual Credit Enrollment Coursework.

A student is ineligible for ROTC Grant payment for coursework attempted while classified as a Joint Enrollment or Dual Credit Enrollment student.

1306.2. Learning Support Coursework.

A student seeking a Degree, who is required by NGC&SU to participate in Learning Support coursework, is eligible for ROTC Grant payment for such coursework, if he or she meets all program eligibility requirements.

1306.3. Coursework Exemptions.

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

1306.4. Distance Learning Coursework.

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

1306.5. Transient Coursework.

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

1306.6. Study Away Coursework.

a. A student Enrolled in a Matriculated status at NGC&SU, who meets all other ROTC Grant eligibility requirements, may qualify for ROTC Grant payment while participating in a Study Away program.

b. NGC&SU must approve the Study Away program for credit toward the student's Degree program prior to the student's departure.

c. The ROTC Grant award must be the amount the student would normally receive at NGC&SU.

d. The ROTC Grant payment must take place through NGC&SU.

1306.7. Continuing Education and Audit Coursework.

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

1306.8. Total Withdrawal from Coursework.

A student is ineligible for ROTC Grant 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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1307. Student Application Requirements.

1307.1. Application Forms.

A student must apply for a ROTC Grant by completing the North Georgia College & State University ROTC Grant Application, which is printable from the GAcollege411 website. In addition, NGC&SU may require applicants to complete an institutional form to provide supplemental information for the purpose of determining ROTC Grant eligibility.

1307.2. 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.

1307.3. Application Renewal.

A North Georgia College & State University ROTC Grant Application must be completed and submitted for each Award Year. An application on file from a student for a previous Award Year cannot be used to renew a ROTC Grant award for subsequent Award Years.

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1308. Award Requirements.

1308.1. Award Amounts.

a. The maximum ROTC Grant award amount is set by the Georgia General Assembly each year, and is subject to change during the Award Year.

b. The ROTC Grant award amount for the 2012-2013 Award Year shall be no greater than $750 for fall semester and $750 for spring semester, for a total of no more than $1,500 for the Award Year.

1308.2. Award Amount Reduction.

A student's ROTC Grant award amount shall not be reduced or withheld because of other aid the student may be receiving, even if the student's total aid exceeds the student's Cost of Attendance. (Refer to *Section 1309.3.)* However, a student is ineligible to receive ROTC Grant payment for a school term in which he or she is receiving payment from the North Georgia College and State University Future Officers ROTC Grant program or the North Georgia College and State University Military Scholarship program.

1308.3. Awards Per School Term.

ROTC Grant 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 ROTC Grant funds for a maximum of two semesters per Award Year.

1308.4. Student Notification of Award.

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

1309. Invoicing Requirements.

1309.1. Submission of Invoices.

NGC&SU may submit invoices to the Commission as early as 15 days prior to the first day of classes for the school term.

1309.2. Payment of Invoices.

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

1309.3. Payment to Students.

ROTC Grant 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 ROTC Grant award to the student.

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1310. Student Refund Requirements.

1310.1. 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 ROTC Grant fund.

b. If applicable, NGC&SU must first apply the Federal Title IV Return of Funds policy for any federal aid the student may have received. To determine the refund to ROTC Grant, the institution must then apply the institution's refund policy, which may or may not be identical to the Federal Title IV Return of Funds policy, to the student's original ROTC Grant award.

c. NGC&SU must determine the amount of the refund due back to the ROTC Grant program. The amount of the ROTC Grant award not determined to be owed back to the ROTC Grant program is retained by the 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 ROTC Grant 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 ROTC Grant 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.

1310.2. Collection of Refund Amounts.

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.

1310.3. Emergency Military Duty.

A student who is a member of the United States Armed Services, National Guard, or Armed Forces Reserve receiving funds from the ROTC Grant program who is called to emergency military duty during a school term that is already in progress should not have their ROTC Grant 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 ROTC Grant award on SURFER, and return the full amount of the student's ROTC Grant payment to the ROTC Grant account. This regulation may also be applied to students who are not members of the military but are otherwise unusually and detrimentally affected by the emergency activation of members of the military, as determined by the president of the NGC&SU.

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1311. Reconciliation Requirements.

1311.1. 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 ROTC Grant 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.

1311.2. 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 15, immediately following the completion of the Award Year.

1311.3. Return of Funds.

NGC&SU must return to the Commission any ROTC Grant 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 ROTC Grant funds do not go to an unintended third party (i.e. State, institution).]

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1312. Records Retention Requirements.

1312.1. Length of Retention.

NGC&SU shall maintain accurate records, books, documents and other evidence concerning the ROTC Grant 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.

1312.2. Documentation.

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 ROTC Grant funds. (Refer to *Section 1314*.) 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.

a. 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, registrars office, business office, and other administrative operations of the institution must be available to the Commission for the purpose of Compliance Reviews. It is the institution's responsibility to resolve any inconsistencies or conflicting information within a student's records, prior to awarding or disbursing ROTC Grant funds to the student.

1312.3. Extended Retention.

NGC&SU must retain student records involved in a Compliance 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.

1313. Administrative Reviews and Exceptions.

1313.1. Administrative Reviews.

The North Georgia College and State University ROTC Grant Program Regulations are applied to each student considered for ROTC Grant funds by appropriate officials of NGC&SU and by the administrative staff of the Commission. If a student believes a ROTC Grant 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.

In order for an Administrative Review to be considered, the student must write a 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.

1313.2. Exceptions.

Requests for Exceptions to the North Georgia College and State University ROTC Grant Program Regulations will not be considered, reviewed, or granted under any circumstances.

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1314. Compliance Reviews.

1314.1. Compliance Review Policy.

The Commission may conduct Compliance Reviews of the ROTC Grant 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* documents, which is available on the *gsfc.org* website, under *School and Lender Information - Compliance Documents*.

1314.2. Compliance Review Process.

When conducting Compliance Reviews, 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 1312*.)

1314.3. Institutional Repayment.

a. If a recipient is determined to be ineligible for payment, the institution may be required to repay to the Commission the funds awarded to the recipient. The recipient, rather than the institution, may owe the repayment to the Commission, as described in *Section 1310.2*.

b. If later evidence, not available at the time of awarding, indicates that a student should not have received the ROTC Grant 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 1310.2*. If the student's file is determined not to be adequately documented by the Commission, then NGC&SU may be responsible for the repayment.