

**Georgia National Guard  
Service Cancelable Loan Program**

**REGULATIONS – 3300.**

**2020 – 2021 Award Year**



**Effective Date – July 1, 2020**

**GSFA** | Georgia Student  
Finance Authority

Georgia Student Finance Authority  
2082 East Exchange Place  
Tucker, Georgia 30084

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### **3302. Program Overview.**

The Georgia National Guard Service Cancelable Loan (GNG SCL) is a student financial aid program that provides loans to be used towards Standard Undergraduate Tuition in a Certificate, Diploma, Associate, Baccalaureate, First Professional Degree or effective FY 2019 (2018-2019), a Graduate Degree program at an Eligible Postsecondary Institution. This program assists Georgians who serve the State of Georgia and country in the Georgia National Guard to pursue their postsecondary career.

The GNG SCL was established as an incentive for qualified young men and women to join the Georgia National Guard and to retain skilled, productive citizens within the state. The GNG SCL was created beginning with the 2002-2003 Award Year and reestablished in 2016-2017.

State revenues provide funding for this program, as authorized each year by the Georgia General Assembly. The program is administered by the Georgia Student Finance Authority (GSFA) in accordance with O.C.G.A. § 20-3-374.

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### **3303. Definitions. (Electronic Link).**

### **3304. General Eligibility Requirements.**

#### **3304.1. Citizenship.**

1. A student must be a United States Citizen, born or naturalized, or an Eligible Non-Citizen, according to the Federal Title IV Regulations, as of the first day of classes of the school term for which the GNG SCL is sought.

#### **3304.2 Georgia National Guard Membership.**

1. A student must be an eligible active member in good standing with the Georgia National Guard.

#### **3304.3 Satisfactory Academic Progress.**

1. A student must maintain Satisfactory Academic Progress (SAP), as defined and certified by the Eligible Postsecondary Institution.
  - a. For state aid programs, Eligible Postsecondary Institutions may establish an appeal process for students with dual-enrollment credit hours that fail to meet the quantitative standard (pace) for degree completion, generally identified as 150 percent of the published length of the program.
  - b. The appeal should consider attempted hours toward the program in which the student is enrolled, satisfactory qualitative (grade-based) standards, and the student's satisfactory pace in pursuit of completing the program with and without the dual enrollment credits. Eligible Postsecondary Institutions have sole discretion and responsibility for evaluation and approval of any such appeals.

#### **3304.4. Selective Service Registration.**

1. A student must be in compliance with United States Selective Service System requirements, where applicable, prior to the GNG SCL application deadline, in order to be eligible for payment for such school term.

#### **3304.5. Defaulted Loan or Refund Due.**

1. A student must not be in default on a Federal Title IV or State of Georgia educational loan, or owe a refund due to an over-award on a Federal Title IV or State of Georgia student financial aid program, or in any other way be in violation of Federal Title IV Programs 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 GSFA on behalf of the student.

2. A student's federal default status can be resolved in one of five ways:
  - a. Completing an acceptable rehabilitation plan;
  - b. Having the loan repurchased by the original lender and the default status reversed;
  - c. Consolidating the loan out of a default status; or
  - d. Receiving an approved Title IV debt settlement, to include a compromised settlement; or
  - e. Making monthly payments over a specified period agreed-upon with the lender of the student's federal loan; each payment must be on time and voluntary to be in a satisfactory repayment plan.
3. A student's State of Georgia refund due status can be resolved by:
  - a. Paying the refund due to the Eligible Postsecondary Institution at which the over-award occurred. The Eligible Postsecondary Institution will then forward the payment to GSFA.
4. A student's default status on a State of Georgia loan can be resolved in one of two ways:
  - a. Paying off the defaulted loan in full; or
  - b. Complete an acceptable rehabilitation plan by making voluntary on time payments over a specified period agreed upon by GSFA.
5. 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 state scholarship, grant or loan funds beginning with the school term in which repayment was made in full but not retroactively for previous school terms.

#### **3304.6. Georgia Drug Free Act.**

1. A student convicted of committing certain felony offenses involving marijuana, controlled substances, or dangerous drugs, may be ineligible for GNG SCL program 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. §20-1-20, et seq.

#### **3304.7. Incarceration.**

1. A student is ineligible to receive funds through GNG SCL while incarcerated.

### **3305. Program Specific Eligibility Requirements.**

#### **3305.1. Good Standing with Georgia National Guard.**

1. The student must maintain good military standing as an eligible active member of the Georgia National Guard (GNG).
2. The student must be a member of the GNG during each semester or quarter for which a GNG SCL is sought.
3. The student agrees to a two (2) year service commitment in the Georgia National Guard following the last term of enrollment for which GNG SCL funds were received.

#### **3305.2. Enrollment Requirements.**

1. A student must be enrolled at a USG, TCSG or Private Eligible Postsecondary Institution in a Certificate, Diploma, Associate, Baccalaureate, Graduate or First Professional Degree Program.
2. A student must be registered, Enrolled, and attending classes as a Half-Time or Full-Time student during the drop/add period and through 14 days after the drop/add period.

#### **3305.3. Length of Eligibility.**

1. A student is eligible to receive loan assistance for a maximum of 120 semester or 180 quarters Paid-Hours. The loan is available Fall, Winter and Spring terms. The loan is not available during a summer term.
  - a. The Paid-Hours limit includes the cumulative total hours of enrollment for which a student received GNG SCL beginning with the 2016-2017 (FY2017) academic year.

### **3306. Withdrawal.**

#### **3306.1 Withdrawal.**

1. If a student leaves or fails to maintain good military standing with the Georgia National Guard after the drop/add date during an academic term, the student is obligated to repay by cash, plus interest, the GNG SCL funds received for that term, in accordance with the GNG SCL promissory note he or she signed.

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### **3307. Eligible and Ineligible Coursework.**

#### **3307.1 Undergraduate and Graduate Coursework.**

1. A student in a Matriculated status, who meets all other requirements, is eligible for GNG SCL payment for Undergraduate and/or Graduate coursework.

#### **3307.2. Distance Learning Coursework.**

1. A student participating in Distance Learning coursework is eligible to receive GNG SCL payment if all other eligibility requirements are met. The institution offering the Distance Learning coursework must be an Eligible Postsecondary Institution.

#### **3307.3. Transient Coursework.**

1. A Transient student is eligible to receive GNG SCL payment if all other eligibility requirements are met. Both the Home Institution and the Host Institution must be Eligible Postsecondary Institutions.
2. The Host Institution awards GNG SCL funds to the Transient student based on certification of eligibility from the Home Institution.
  - a. The Home Institution is responsible for verifying the eligibility of their Transient students.
  - b. Upon the student's return to the Home Institution, the Host Institution must provide information necessary for the Home Institution to determine continued eligibility.

#### **3307.4. Study Away Coursework.**

1. A student Enrolled in a Matriculated status at an Eligible Postsecondary Institution may qualify for GNG SCL payment while participating in a Study Away program.
2. The Home Institution must have a written agreement with the institution (foreign or non-Eligible Postsecondary Institution) or a single written arrangement with a study-abroad organization to represent an agreement between the Home Institution and the Host Institution at which a student is participating in a Study Away program.
3. The student's Home Institution must be an Eligible Postsecondary Institution, and must approve the Study Away program for credit toward the student's Degree program prior to the student's departure.

4. The GNG SCL award must be the amount the student would normally receive at the Home Institution for an equal number of credit hours attempted.
  - a. Where the actual tuition at the Host Institution is less than the GNG SCL award, the GNG SCL award shall not exceed the actual tuition rate.
5. The Home Institution must maintain documentation of the student's actual tuition charges for the Study Away program at the Host Institution.
6. At the time of disbursement, a current enrollment verification for the student from the Host Institution indicating the courses and number of hours must be on file with the Home Institution.
7. The GNG SCL payment must take place through the Home Institution. The earned GNG SCL award may be refunded to the student, if the student has prepaid the Study Away institution prior to the GNG SCL disbursement.
8. The Eligible Postsecondary Institution must have on file the student's written or electronic permission to have any specific fees withheld from the GNG SCL disbursement.
9. If the student is participating in a Study Away program via another Eligible Postsecondary Institution, the process for Transient students must be followed (refer to *Section 3307.3*).

#### **3307.5. Learning Support Coursework.**

1. A student who is required by his or her Eligible Postsecondary Institution to participate in Learning Support (remedial) coursework is eligible for GNG SCL payment for such coursework, if he or she meets all other eligibility requirements.

#### **3307.6. Coursework Exemptions.**

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

#### **3307.7. Continuing Education and Audit Coursework.**

1. A student is ineligible to receive GNG SCL payment for coursework classified by his or her Eligible Postsecondary Institution as Continuing Education or Audit coursework.

#### **3307.8. Total Withdrawal from Coursework.**

1. A student is ineligible for GNG SCL 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 "W" or any other code or identification for such a withdrawal (refer to *Section 3311.1.*).

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## **3308. Student Application Requirements.**

### **3308.1. FAFSA Application.**

1. An undergraduate student is required to submit the Free Application for Federal Student Aid (FAFSA), for each academic year he or she intends to apply for a GNG SCL.

### **3308.2. Program Application.**

1. The GNG SCL Application and Promissory Note will be available from GSFA.
2. A student must apply for a GNG SCL by completing and submitting to the Eligible Postsecondary Institution the GNG SCL Application and signed Promissory Note.
3. A student may reapply annually by completing the GNG SCL Application and Promissory Note and must continue to meet all of the eligibility requirements in *Sections 3304 and 3305*.

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### **3308.3. Application Process.**

1. A student must complete his or her portion of the Application, have it signed by GNG verifying National Guard standing, and then submit it to the financial aid office of the Eligible Postsecondary Institution for certification.
  - a. The financial aid office certifies eligibility, including the number of Enrolled hours per term and forwards the completed Application directly to GSFA for final determination of eligibility.
2. All completed Applications received by GSFA will be awarded on a first-come, first-served basis and based on available funds.
3. Awards will be made until funds are exhausted.

### **3308.4. Institution Procedures.**

1. A student must file the Application with the Eligible Postsecondary Institution's financial aid office on or before the last day of the school term (semester or quarter), or the student's Withdrawal Date, whichever occurs first, in order to be paid off for that school term.
  - a. The last day of the school term is the last day of classes or exams for the Eligible Postsecondary Institution, whichever occurs later. Supplemental documentation required by the Eligible Postsecondary Institution or GSFA to

support or verify a student's application information may be submitted after the Application Deadline Date without jeopardizing the student's eligibility.

2. The institution shall release funds to eligible students.

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### **3309. Award Requirements.**

#### **3309.1. Award Requirements.**

1. GNG SCL funds may be applied to Tuition only.
2. A student is eligible to receive loan assistance for a maximum of 120 semester hours or 180 quarter hours Paid-Hours.
3. A student receiving financial aid from a source other than the GNG SCL which is required by the donor to be applied to the student's Tuition, such other aid must be applied prior to the GNG SCL award.
  - a. A student should apply for any Federal and institutional scholarships and grants, private scholarships, grants and veterans educational benefits available. A student may not decline any other tuition specific aid he or she qualifies to receive.
4. A student's GNG SCL award amount for Tuition is not reduced if the student is receiving financial aid that is applied to educational expenses other than Tuition, even if the student's total aid exceeds his or her Cost of Attendance (COA).

#### **3309.2. Awards at a USG or TCSG Institution.**

1. The GNG SCL award amount at a USG or TCSG Institution is equal to the current academic year Standard Undergraduate Tuition amount, on a per hour basis, at the eligible Postsecondary Institution in which the student is Enrolled at least six hours up to the maximum of 15 hours per term.
  - b. A student must be Enrolled 14 days following the drop/add period in the term for which the loan is sought.
2. An eligible student may receive GNG SCL payment for a maximum of two semesters (Fall and Spring) or three quarters (Fall, Winter, and Spring) per Academic Year.

#### **3309.3. Awards at an Eligible Private Institution.**

##### **1. Full-Time Awards.**

- a. The GNG SCL award amounts per semester or quarter for a Full-Time student are provided below. Any approved changes to the state scholarship or grant award amounts become effective beginning with the Fall term. A student who meets all eligibility requirements may receive payment for two semesters or three quarters for the Award Year.

| Term        | FY | Semester System | Quarter System |
|-------------|----|-----------------|----------------|
| Fall 2020   | 21 | \$2,174.00      | \$1,450.00     |
| Winter 2021 | 2  | Not Applicable  | \$1,450.00     |
| Spring 2021 | 2  | \$2,174.00      | \$1,450.00     |

## 2. Half-Time Awards.

- b. The GNG SCL award amounts per semester or quarter for a Half-Time student are provided below. Any approved changes to the state scholarship or grant award amounts become effective beginning with the Fall term. A student who meets all eligibility requirements may receive payment for two semesters or three quarters for the Award Year.

| Term        | FY | Semester System | Quarter System |
|-------------|----|-----------------|----------------|
| Fall 2020   | 21 | \$1,087.00      | \$726.00       |
| Winter 2021 | 21 | Not Applicable  | \$726.00       |
| Spring 2021 | 21 | \$1,087.00      | \$726.00       |

## 3. Per Credit Hour Awards.

- a. For a student Enrolled during a term in which he or she reaches the Paid-Hours limit such student can receive payment only for hours up to the limit.

|                 | Semester System | Quarter System |
|-----------------|-----------------|----------------|
| Per Credit Hour | \$145.00        | \$121.00       |

## 3309.4. Student Notification of Award.

1. Eligible Postsecondary Institutions should notify each GNG SCL recipient of the amount of GNG SCL funds he or she is awarded for the Award Year, and identify such funds as a GNG service cancelable loan.

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### **3310. Authorizing and Disbursing Funds.**

#### **3310.1 Authorization of Funds.**

1. As early as 15 calendar days prior to the first day of classes each semester/quarter, GSFA authorizes the disbursement of GNG SCL funds to the Eligible Postsecondary Institution, on behalf of eligible students.

#### **3310.2 Disbursement.**

1. GNG SCL funds are disbursed by GSFA to the Eligible Postsecondary Institution by method of electronic transfer.

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### **3311. Student Refund Requirements.**

#### **3311.1. Calculation of Refund Amounts.**

1. 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 GSFA.
2. If the student received Federal Title IV Program funds, in addition to GNG SCL, the Participating Postsecondary Institution must first apply the Federal Title IV return of funds policy for any federal aid received. To determine the refund to GSFA, the Participating Postsecondary Institution must then apply the institution's refund policy, if different from Federal Title IV return of funds policy, to the student's original GNG SCL Amount.
  - a. If the student received GNG SCL funds, but did not receive Federal Title IV Program funds, the Participating Postsecondary Institution must apply the institution's refund policy, if different from Federal Title IV return of funds policy, to the student's GNG SCL amount.
3. A Participating Postsecondary Institution must determine the amount of the refund due back to GSFA. The amount of the GNG SCL award not determined to be owed back to GSFA is retained by the Participating Postsecondary Institution to cover the institutions' cost for the portion of the school term that the student was enrolled.
4. The Participating Postsecondary Institution must adjust the student's invoice to the new award amount remaining after the refund is calculated within 45 calendar days of the determination.
5. If the Participating Postsecondary Institution has sufficient funds on hand to return to GSFA the refund owed, it should return the funds within 45 calendar days of the refund determination. The Participating Postsecondary Institution would then collect the refund amount from the student. However, the student should not be reported with a refund due status to GSFA since the funds have been repaid to GSFA.
  - a. If the Participating Postsecondary Institution does not have sufficient funds on hand to return to GSFA the refund owed, the student is considered to have a refund due to GSFA and the Participating Postsecondary Institution must report the student to GSFA with a refund due status.

### **3311.2. Collection of Refunds.**

1. A Borrower in default or who owes a refund may be subject to garnishment of their pay, loss of a professional license, offset of lottery winnings, and/or offset of a state tax refund. GSFA will notify the borrower that they are in default and GSFA intends to proceed with any of the remedies listed in this subsection. The borrower will be given 60 days from the date of the notification to make the loan current or to put in place a satisfactory payment plan.

### **3311.3. Emergency Military Duty.**

1. A student who is a member of the United States Armed Services, National Guard, or Armed Forces Reserve receiving funds from the GNG SCL Program who is called to emergency military duty during a school term that is already in progress should not have their eligibility negatively impacted.
2. If the Eligible Postsecondary Institution the student attends allows the student to totally withdraw and receive a grade such as “WM” for “military withdrawal” or the institution totally removes all grades for that term and corresponding credit hours from the student’s records, the Eligible Postsecondary Institution should return the full amount of the award to the GNG SCL fund.

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### **3312. Reconciliation Requirements.**

#### **3312.1. Term Reconciliation.**

1. Eligible Postsecondary Institutions must conduct a Term Reconciliation by the end of each term. A Term Reconciliation consists of an official acknowledgement by an authorized school official, through SURFER that the number of students submitted for payment, amount invoiced, the number of invoices paid and amount disbursed by GSFA to the Eligible Postsecondary Institution, according to SURFER, is accurate on that date.
  - a. GSFA will not issue any state scholarship or grant funds for the following term until the Term Reconciliation is complete.
  - b. Funds are not returned to GSFA as part of the Term Reconciliation process.

#### **3312.2. Fiscal Year End Reconciliation.**

1. Eligible Postsecondary Institutions must conduct the Fiscal Year End Reconciliation consisting of an official acknowledgement by an authorized school official, through SURFER verifying, student by student, the accuracy of each invoice submitted by the Eligible Postsecondary Institution with respect to the student's Enrolled-Hours, Paid-Hours, Learning Support, and program of study information, when applicable to the program.
  - a. Reconciliation certification forms must be completed and submitted electronically, through SURFER by July 15, immediately following the completion of the Fiscal Year for each State Program.
  - b. Return to GSFA any funds not utilized according to the Fiscal Year End Reconciliation by August 15 after the beginning of the new Fiscal Year.
  - c. GSFA will not issue any state scholarship or grant funds for the Fall term until the previous Fiscal Year End Reconciliation process is complete.
  - d. The Eligible Postsecondary Institution must have a procedure in place to ensure that the state scholarship and grant funds do not go to an unintended third party (i.e., state, postsecondary institution).

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### **3313. Records Retention Requirements.**

#### **3313.1. Length of Retention.**

1. A Eligible Postsecondary Institution shall maintain accurate records, books, documents, and other evidence concerning the GNG SCL Program, including, but not limited to individual student files for whichever is longer:
  - a. Three years after the Award Year in which the aid was awarded; or
  - b. For such other period as required by an applicable statute, rule, or regulation; or
  - c. Such other time as requested in writing.

#### **3313.2. Documentation.**

1. Documentation contained within an individual student's file or record, which supports the original determination of a student's eligibility, must be retained by the Eligible Postsecondary Institution and available for review by GSFA on the Eligible Postsecondary Institution's campus, located within the State of Georgia, for at least three calendar years after the most recent Award Year for which the student received funds.
2. Eligible Postsecondary Institutions are 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 income tax returns, student financial aid applications or academic transcripts from previous institutions.
    - i. Documentation regarding a student's eligibility is not limited to files, records, and other information received and maintained by the Eligible Postsecondary Institution.
    - ii. 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 Eligible Postsecondary Institution must be available to GSFA for the purpose of Compliance Reviews.
3. It is the Eligible Postsecondary Institution's responsibility to resolve any inconsistencies or conflicting information within a student's records, prior to awarding or disbursing GNG SCL funds to the student.

### **3313.3. Extended Retention.**

1. An Eligible Postsecondary Institution may be required to 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 Eligible Postsecondary Institution must continue to retain all associated records until resolution is reached.

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### **3314. Administrative Reviews and Exceptions.**

#### **3314.1. Administrative Reviews.**

1. The GNG SCL regulations are applied to each student considered for such funds by appropriate officials of Eligible Postsecondary Institutions and by the administrative staff of GSFA.
2. If a student believes a 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 GSFA.
3. In order for a request for an Administrative Review to be considered, the student must submit a written request for an Administrative Review to GSFA 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 GSFA.
  - a. GSFA will review the case and determine whether the rule or regulation was applied correctly and notify the student and the Eligible Postsecondary Institution of the determination.
  - b. GSFA decides a case based only on documentation provided by the student, rather than a personal presentation.

#### **3314.2. Exceptions.**

1. No requests for Exceptions to the GNG SCL regulations will be considered, reviewed, or granted under any circumstances.

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### **3315. Compliance Reviews.**

#### **3315.1. Compliance Review Policy.**

1. GSFA shall conduct Compliance Reviews of Eligible Postsecondary Institutions in order to assess institutional administration of the program and compliance with the program's regulations. Compliance Reviews shall be conducted in accordance with GSFA's Compliance Review Process and Procedures document, which is available at [gsfc.georgia.gov](http://gsfc.georgia.gov), under *School and Lender Information-Compliance Documents*.

#### **3315.2. Compliance Review Process.**

1. GSFA selects a sampling of the Eligible Postsecondary Institution's recipients for the Award Year under review, and the Eligible Postsecondary Institution's files and records for the sample are examined to assure compliance. Records which document and support a student's eligibility must be available for review at the Georgia campus of the Eligible Postsecondary Institution.

#### **3315.3. Institutional Repayment.**

1. If a recipient is determined to be ineligible for payment, the Eligible Postsecondary Institution may be required to repay to GSFA the funds awarded to the recipient.
2. If later evidence, not available at the time of awarding, indicates that a student should not have received GNG SCL funds, then all future GNG SCL awards must be cancelled.
  - a. The Eligible Postsecondary Institution is held harmless by GSFA, if the student's file is appropriately documented with available evidence and it is determined by GSFA that the Eligible Postsecondary Institution was not at fault.
  - b. 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.).
3. The Eligible Postsecondary Institution must notify the student and GSFA of a refund due.
4. The student will be ineligible to receive additional state aid from GSFA until the refund is paid in full, in accordance with *Section 3311.2*.

5. If GSFA determines the student's file is not adequately documented, the Eligible Postsecondary Institution may be responsible for the Repayment.

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## **3316. Service Cancellation and Cash Repayment Obligations.**

### **3316.1. Loss of Eligibility.**

1. In the event a recipient of GNG SCL fails to meet the requirements for continued eligibility for GNG SCL, such student must fulfill his or her GNG SCL obligation in one of the following methods:
  - a. Maintain good military standing as an active member of the Georgia National Guard and complete a two year service commitment following the last term of enrollment for which the student received GNG SCL funds; or
  - b. Repay to GSFA the total amount of GNG SCL funds received, plus interest, in accordance with the GNG SCL Promissory Note the student signed.
2. In the event the Eligible Postsecondary Institution refunds a portion of the funds received to GSFA, that amount will be credited towards the amount the students owes GSFA.

### **3316.2. Service Cancellation.**

1. In order to repay by service, a GNG SCL recipient must:

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- a. Maintain good military standing as an active member of the Georgia National Guard or the United States Armed Forces and complete a two year service commitment following the last term of enrollment for in which the student received GNG SCL funds.
- b. Submit to GSFA a verification of status (VOS), signed by the Georgia National Guard to serve as evidence of compliance with the Service Cancellation requirements:
  - i. Within thirty (30) days following the last term of enrollment; and
  - ii. Within thirty (30) days of completing each year of the two (2) year service commitment.

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2. Any period of time that a recipient served in the Georgia National Guard or the United States Armed Forces prior to the last term of enrollment for which the loan is applicable does not count toward the two year service commitment.
3. Service Cancellation is effective upon approval by GSFA.

### **3316.3. Cash Repayment.**

1. GSFA shall convert a former GNG SCL recipient from a service Repayment status to a cash Repayment status if GSFA, in its sole discretion, determines that the former GNG SCL recipient is not meeting his or her service obligation by ceasing enlistment in the Georgia National Guard, enrolling in less than Half-Time status, or becoming otherwise ineligible to receive GNG SCL payments under the terms of the promissory note that he or she signed.
  - a. A recipient converting from cash Repayment to service Repayment will not receive a refund on cash payments made prior to approval of service Repayment. Service Cancellation is effective upon receipt of complete documentation.
2. Upon designation by GSFA that a former GNG SCL recipient is in a cash Repayment status, he or she shall have the option of fulfilling the obligation by either of the following two alternatives:
  - a. Repay in full the amount of the GNG SCL funds received, reduced by the dollar amount that coincides with the service term of the former GNG SCL recipient has been performed, as specified in the promissory note; or
  - b. Make monthly payments to GSFA of the outstanding principal, plus interest, in accordance with the Promissory Note. In no event shall the interest rate due exceed 10% per annum.

### **3316.4. Deferment of Repayment.**

1. A former GNG SCL recipient may apply for a Deferment of Repayment under certain conditions listed below:
  - a. The former GNG SCL recipient is Enrolled for at least 12 hours of Undergraduate coursework or 6 hours of Graduate coursework per term at a postsecondary institution; or
  - b. The former GNG SCL recipient is serving as Military Personnel, not in excess of four years; or
  - c. The former GNG SCL recipient is serving as a volunteer in the United States Peace Corps; or
  - d. The former GNG SCL recipient is temporarily disabled as established by sworn affidavit of a qualified physician satisfactory to GSFA; or

- e. The former GNG SCL recipient is unable to secure employment for a period not to exceed 12 months by reason of the full-time care required by a disabled child of which the student is the Legal Guardian, student's spouse, or student's parent; or
  - f. The former GNG SCL recipient meets the requirements for a Deferment under any Deferment 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.
2. During the period of a Deferment, approved by GSFA, the former GNG SCL recipient shall not be required to meet the cash Repayment or service Repayment requirements and interest will not accrue on the outstanding principal.

#### **3316.5. Forbearance of Repayment.**

1. A former GNG SCL recipient may apply for a Forbearance of Repayment under certain conditions listed below:
- a. The former GNG SCL recipient meets the requirements for Forbearance under any Forbearance options available under the Federal Family Education Loan Program or the William D. Ford Federal Direct Loan Program as authorized by the Title IV of the Higher Education Act of 1965 as amended.
2. During the period of a Forbearance, approved by GSFA, the former GNGSCL recipient shall not be required to meet the Repayment requirements; however, interest will accrue on the outstanding principal balance and the former GNG SCL recipient will be liable for such interest.

#### **3316.6. Cancellation of Repayment Obligation.**

1. GSFA shall cancel a Borrower's Repayment obligation if it determines:
- a. On the basis of a death certificate, or other evidence acceptable to GSFA, that the Borrower is deceased; or
  - b. That the Borrower possess a Total and Permanent Disability. In order to be relieved of a monetary or service obligation to GSFC/GSFA, a Borrower must affirm the presence of a Total and Permanent Disability in one of the following ways:
    - i. If the Borrower is a veteran, submit documentation from the U.S.

Department of Veterans Affairs (VA) showing that the VA has determined that the Borrower is unemployable due to a service-connected disability; or

- ii. If the Borrower is receiving Social Security Disability Insurance (SSDI) or Supplemental Security Income (SSI) benefits, the Borrower can submit a Social Security Administration (SSA) notice of award for SSDI or SSI benefits stating that the Borrower's next scheduled disability review will be within five to seven years from the date of the Borrower's most recent SSA disability determination; or
- iii. The Borrower can submit certification from a physician that he or she is totally and permanently disabled. The physician must certify that the Borrower is unable to engage in any substantial gainful activity by reason of a medically determinable physical or mental impairment that:
  - (1) Can be expected to result in death; or
  - (2) Has lasted for a continuous period of not less than 60 months; or
  - (3) Can be expected to last for a continuous period of not less than 60 months.
- iv. The Borrower's condition or illness must not have existed at the time the loans were made, unless the condition has substantially deteriorated so that the borrower is now Totally and Permanently Disabled.

### **3316.7. Promissory Note Supersedes Regulations.**

1. The complete Repayment requirements of the GNG SCL Program are provided in the promissory note signed by each individual GNG SCL recipient. If any discrepancy exists between the content of these program regulations and the Promissory Note signed by the GNG SCL recipient, the Promissory Note shall control and prevail.

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