

**Scholarship for Engineering Education  
Service Cancelable Loan Program**

**REGULATIONS - 3600  
2017 - 2018 Award Year**



**Effective Date – July 1, 2017**

**GSFA** | Georgia Student  
Finance Authority

2082 East Exchange Place  
Tucker, Georgia 30084

## **3601. Table of Contents.**

<b>Section</b>	<b>Page</b>
3601. Table of Contents.	2
3602. Program Overview.	4
3603. Definitions. (Electronic Link).	5
3604. General Eligibility Requirements.	5
3604.1. Citizenship.	5
3604.2. Georgia Residency.	5
3604.3. Enrollment Status.	5
3604.4. Satisfactory Academic Progress.	5
3604.5. Selective Service Registration.	6
3604.6. Defaulted Loan or Refund Due.	6
3604.7. Georgia Drug-Free Act.	7
3604.8. Incarceration.	7
3605. Program Specific Eligibility Requirements.	8
3605.1. Freshman Eligibility.	8
3605.2. Upperclassman Eligibility.	8
3605.3. Length of Eligibility.	8
3605.4. Repayment Obligation.	8
3606. Student Application Requirements.	9
3606.1. Application.	9
3606.2. Application Process.	9
3606.3. Application Deadline Date.	9
3607. Award Requirements.	10
3607.1. Award Amount.	10
3607.2. Cost of Attendance and Other Aid.	10
3608. Authorizing and Disbursing Funds.	11
3608.1. Authorization of Funds.	11
3608.2. Disbursement.	11
3609. Student Refund Requirements.	12
3609.1. Calculation of Refund Amounts.	12
3609.2. Collection of Refunds.	12

3609.3. Emergency Military Duty.	13
3610. Reconciliation Requirements.	14
3610.1. Fiscal Year End Reconciliation.	14
3611. Records Retention Requirements.	15
3611.1. Length of Retention.	15
3611.2. Documentation.	15
3611.3. Extended Retention.	16
3612. Administrative Reviews and Exceptions.	17
3612.1. Administrative Reviews.	17
3612.2. Exceptions.	17
3613. Compliance Reviews.	18
3613.1. Compliance Review Policy.	18
3613.2. Compliance Review Process.	18
3613.3. Institutional Repayment.	18
3614. Service Cancellation and Cash Repayment Obligations.	19
3614.1. Loss of Eligibility.	19
3614.2. Service Cancellation.	19
3614.3. Cash Repayment.	19
3614.4. Deferment of Repayment.	20
3614.5. Forbearance of Repayment.	21
3614.6. Cancellation of Repayment Obligation.	21
3614.7. Promissory Note Supersedes Regulations.	22

### **3602. Program Overview.**

The Scholarship for Engineering Education (SEE) was created beginning with the 1997-1998 Award Year. State revenues provide the funding for this program, as authorized each year by the State of Georgia's Annual Operating Budget. The program is administered by the Georgia Student Finance Authority (GSFA), in accordance with these regulations. SEE provides Service-Cancellable Loans of \$1,750 per semester for a maximum of \$17,500 for a student's program of study.

The purpose of the program is to attract Undergraduate students into the engineering profession by offering financial assistance and to provide qualified engineers for the State of Georgia. In return, students agree to work for a period of time after graduation in an Engineering-Related Field in Georgia. SEE funds may be used for tuition, fees, room and board, and other educational expenses at a Private Eligible Postsecondary Institution in Georgia.

*(The remainder of this page is intentionally blank.)*

### **3603. Definitions. (Electronic Link).**

### **3604. General Eligibility Requirements.**

#### **3604.1. Citizenship.**

REVISED

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 payment is sought.

#### **3604.2. Georgia Residency.**

1. A student must meet the requirements to be classified as a Resident of Georgia, in accordance with the *Georgia Residency Requirements for State Programs at Private Institutions Regulations*, for a minimum of 12 consecutive months immediately prior to the first day of classes of the school term for which payment is sought.

#### **3604.3. Enrollment Status.**

1. A student must be Enrolled in an engineering program of study leading to a Baccalaureate Degree at a Private Eligible Postsecondary Institution, approved by the Engineering Accreditation Commission of the Accrediting Board for Engineering and Technology.
2. A student must be registered, Enrolled, and attending classes as a Full-Time student during the drop/add period and through 14 days after the drop/add period.

#### **3604.4. Satisfactory Academic Progress.**

1. A student must maintain Satisfactory Academic Progress (SAP), as defined and certified by the Private 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.

### **3604.5. Selective Service Registration.**

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

### **3604.6. 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;
  - 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 by:
  - 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 with 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

**NEW**

in full but not retroactively for previous school terms.

**3604.7. Georgia Drug-Free Act.**

1. A student convicted of committing certain felony offenses involving marijuana, controlled substances, or dangerous drugs, may be ineligible for SEE 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, Official Code of Georgia Annotated (O.C.G.A.) §20-4- 20, et seq.

**3604.8. Incarceration.**

1. A student is ineligible to receive SEE Program funding while incarcerated.

## **3605. Program Specific Eligibility Requirements.**

### **3605.1. Freshman Eligibility.**

1. A student is eligible for SEE as a Freshman. A Freshman is not required to have a specific grade point average or meet any other academic eligibility requirements for SEE.

### **3605.2. Upperclassman Eligibility.**

1. A student may enter, or maintain academic eligibility for, the SEE Program as an Upperclassman provided he or she has a Postsecondary Cumulative Grade Point Average of at least a 2.50, based on a 4.00 scale, in an engineering Baccalaureate Degree Program.

### **3605.3. Length of Eligibility.**

1. A student may receive SEE funds for a maximum of 10 semesters. SEE funds are not available for study beyond the attainment of a Baccalaureate Degree and cannot be used toward the cost of a Graduate program of study.

### **3605.4. Repayment Obligation.**

1. A student must commit to work in Georgia in an Engineering-Related Field for one calendar year for each \$3,500 received from the SEE Program or repay by cash, plus interest, the SEE funds received, in accordance with the SEE Promissory Note he or she signed.

*(The remainder of this page is intentionally blank.)*



## **3606. Student Application Requirements.**

### **3606.1. Application.**

1. The SEE Application and Promissory Note will be available from GSFA.
2. A student must apply for SEE by completing and submitting to the Private Eligible Postsecondary Institution a Scholarship of Engineering Education Loan Program Application and Promissory Note with his or her notarized legal signature.
3. A student may reapply annually by completing an Application and Promissory Note, and must continue to meet all of the eligibility requirements in *Sections 3604 and 3605*.

### **3606.2. Application Process.**

1. An applicant must complete his or her portion of the Application and submit it to the financial aid office of the Private Eligible Postsecondary Institution for certification.
  - a. The financial aid office certifies eligibility 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 in the following priority order:
  - a. First priority will be given to Upperclassman SEE recipients who are eligible to renew their SEE awards.
  - b. Second priority will be given to Freshman students.
  - c. Third priority will be given to Upperclassman not already participating in the SEE Program.
  - d. Awards will be made until funds are exhausted.

### **3606.3. Application Deadline Date.**

1. A student must file the Application in the Private Eligible Postsecondary Institution's financial aid office on or before the last day of the academic term (semester or quarter) or the student's withdrawal date, whichever occurs first, in order to be paid for that academic term.
  - a. The last day of the academic term is the last day of classes or exams for the institution, whichever occurs later. Supplemental documentation required by the Private Eligible Postsecondary Institution or GSFA to support or verify a student's Application information may be submitted after the deadline without jeopardizing the student's eligibility.

## **3607. Award Requirements.**

### **3607.1. Award Amount.**

1. The maximum SEE award amount is \$1,750 per semester. A student is not eligible for SEE payment unless he or she is Enrolled Full-Time during the drop/add period and through 14 days following the drop/add period.
2. An eligible student may receive SEE payment for a maximum of three semesters (Fall, Spring and Summer) per Award Year, for a maximum total of \$5,250 per Award Year.

### **3607.2. Cost of Attendance and Other Aid.**

1. SEE funds may be applied to any portion of a student's Cost of Attendance (COA).
2. A student's SEE award amount, in combination with HOPE Scholarship funds and/or other scholarship and grant aid, must not exceed the student's COA. Such student's SEE award amount must be reduced so that the combination of aid is equal to or less than the student's COA.

*(The remainder of this page is intentionally blank.)*

## **3608. Authorizing and Disbursing Funds.**

### **3608.1. Authorization of Funds.**

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

### **3608.2. Disbursement.**

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

*(The remainder of this page is intentionally blank.)*

## **3609. Student Refund Requirements.**

### **3609.1. 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 the SEE fund.
  - a. A student is ineligible for SEE funds 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.
2. If applicable, the Private Eligible Postsecondary Institution must first apply the Federal Title IV Return of Funds policy for any federal aid the student may have received.
  - a. To determine the refund, 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 SEE award amount.
3. The Private Eligible Postsecondary Institution must determine the amount of the refund due back to the SEE Program. The amount of the SEE award not determined to be owed back to the SEE Program is retained by the Private Eligible Postsecondary Institution to cover the institution's cost for the portion of the school term that the student was Enrolled.
  - a. The Private Eligible Postsecondary Institution 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.
  - b. If the Private Eligible Postsecondary Institution has sufficient funds on hand to return to GSFA the refund owed to the SEE Program, it should return the funds within 45 days of the refund determination. The Private Eligible Postsecondary Institution would then collect the refund amount from the student.
  - c. The student should not be reported with a refund due status to GSFA since the funds have been repaid to GSFA.
4. If the Private Eligible Postsecondary Institution does not have sufficient funds on hand to return to GSFA the refund owed to the SEE Program, the student is considered to have a refund due to GSFA and the Private Eligible Postsecondary Institution must report the student to GSFA with a refund due status.

### **3609.2. 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.

### **3609.3. 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 SEE 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 Private 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 Private Eligible Postsecondary Institution should return the full amount of the award to the SEE fund.
3. 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 Private Eligible Postsecondary Institution that such student is attending.

*(The remainder of this page is intentionally blank.)*

## **3610. Reconciliation Requirements.**

### **3610.1. Fiscal Year End Reconciliation.**

1. The Private Eligible Postsecondary Institution must conduct a Fiscal Year End Reconciliation.
  - a. The Private Eligible Postsecondary Institution must conduct a complete student-by-student Fiscal Year End Reconciliation with GSFA that includes:
    - i. Submission of a reconciliation certification form by July 15, immediately following the completion of the Fiscal Year for each State Program; and
    - ii. 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.
  - b. GSFA will not issue any state scholarship or grant funds for the Fall term until the previous Fiscal Year End Reconciliation process is complete.
  - c. The Private 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).

*(The remainder of this page is intentionally blank.)*

## **3611. Records Retention Requirements.**

### **3611.1. Length of Retention.**

1. A Private Eligible Postsecondary Institution shall maintain accurate records, books, documents, and other evidence concerning the SEE 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 by GSFA.

### **3611.2. 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 Private Eligible Postsecondary Institution and available for review by GSFA on the Private 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. Private 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 Private 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 Private Eligible Postsecondary Institution must be available to GSFA for the purpose of Compliance Reviews.
3. It is the Private Eligible Postsecondary Institution's responsibility to resolve any inconsistencies or conflicting information within a student's records, prior to awarding or disbursing SEE funds to the student.

### **3611.3. Extended Retention.**

1. A Private 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 Private Eligible Postsecondary Institution must continue to retain all associated records until resolution is reached.

*(The remainder of this page is intentionally blank.)*



## **3612. Administrative Reviews and Exceptions.**

### **3612.1. Administrative Reviews.**

1. The SEE regulations are applied to each student considered for such funds by appropriate officials of Private 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's 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 Private Eligible Postsecondary Institution of the determination.
  - b. GSFA decides a case based only on documentation provided by the student, rather than a personal presentation.

### **3612.2. Exceptions.**

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

*(The remainder of this page is intentionally blank.)*

### **3613. Compliance Reviews.**

#### **3613.1. Compliance Review Policy.**

1. GSFA shall conduct Compliance Reviews of Private 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 on *GSFA.org*, under *Information for School Compliance*.

#### **3613.2. Compliance Review Process.**

1. GSFA selects a sampling of the Private Eligible Postsecondary Institution's recipients for the Award Year under review, and the Private 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 Private Eligible Postsecondary Institution.

#### **3613.3. Institutional Repayment.**

1. If a recipient is determined to be ineligible for payment, the Private 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 SEE funds, then all future SEE awards must be cancelled.
  - a. The Private 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 Private 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 Private 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 3609.2*.
5. If GSFA determines the student's file is not adequately documented, the Private Eligible Postsecondary Institution may be responsible for the Repayment.

## **3614. Service Cancellation and Cash Repayment**

### **Obligations. 3614.1. Loss of Eligibility.**

1. In the event that a Freshman recipient of SEE changes his or her major to a program of study other than engineering or withdraws from the Private Eligible Postsecondary Institution, prior to completion of his or her second semester, the Private Eligible Postsecondary Institution shall repay to GSFA the total amount of SEE funds awarded to such student. Full Repayment must occur prior to the end of the Award Year in which the SEE funds were disbursed.
2. In the event that an Upperclassman recipient of SEE fails to meet the requirements for continued eligibility for SEE, such student must repay to GSFA the total amount of SEE funds received, plus interest, in accordance with the SEE Promissory Note the student signed.

### **3614.2. Service Cancellation.**

1. In order to repay by service, a former SEE recipient must be employed on a full-time basis in an Engineering-Related field in Georgia.
  - a. The former SEE recipient must be physically located and working at a Georgia work site and employed in an Engineering-Related field for one year for each \$3,500 awarded by the SEE Program.
2. A former SEE recipient must fulfill the service obligation within six years immediately following the completion of the Engineering Baccalaureate Degree program for which SEE funds were awarded.
  - a. The employment obligation may be extended only if a Deferment is approved by GSFA.
3. The former SEE recipient must annually submit a verification of status (VOS) form to GSFA, to serve as evidence of compliance with the Service Cancellation requirements.
  - a. Service Cancellation is effective upon approval by GSFA.

CLARIFIED

### **3614.3. Cash Repayment.**

1. GSFA shall convert a former SEE recipient from a Service Cancellation status to a cash Repayment status if GSFA, in its sole discretion, determines that the former SEE recipient is not meeting his or her service obligation in accordance with the promissory note.
  - a. A recipient converting from cash Repayment to service Cancellation will not receive a refund on cash payments made prior to approval of Service Cancellation. Service Cancellation is effective upon receipt of complete documentation.

2. Upon designation by GSFA that a former SEE 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 SEE funds received, reduced by the dollar amount that coincides with the years of service that the former SEE 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.

#### **3614.4. Deferment of Repayment.**

1. A former SEE recipient may apply for a Deferment of Repayment under certain conditions listed below:
  - a. The former SEE 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 SEE recipient is serving as Military Personnel, not in excess of four years; or
  - c. The former SEE recipient is serving as a volunteer in the United States Peace Corps; or
  - d. The former SEE recipient is temporarily disabled as established by sworn affidavit of a qualified physician satisfactory to GSFA; or
  - e. The former SEE 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 SEE recipient is in the Grace Period, which is defined as a period in which the student is unable to find a qualifying position within 12 months immediately following the student's completion of an engineering program of study.
  - g. The former SEE 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 SEE recipient shall not be required to meet the cash Repayment or Service Cancellation requirements and interest will not accrue on the outstanding principal.

### **3614.5. Forbearance of Repayment.**

1. A former SEE recipient may apply for a Forbearance of Repayment under certain conditions listed below:
  - a. The former SEE 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 SEE recipient shall not be required to meet the Repayment requirements; however, interest will accrue on the outstanding principal balance and the former SEE recipient will be liable for such interest.

### **3614.6. 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 possesses a Total and Permanent Disability. In order to be relieved of a monetary or service obligation to GSFCGSFA, 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.
2. A Borrower of a previous State Loan Program that receives a discharge due to Total and Permanent Disability is not eligible to receive future state loans unless:
    - a. The Borrower produces to GSFA an affidavit from a qualified physician which certifies that the Borrower is now able to engage in substantial gainful activity; and
    - b. The Borrower signs a statement acknowledging that a new loan cannot be discharged in the future on the basis of any injury or illness present at the time the new loan is made unless the condition substantially deteriorates so that he is again totally and permanently disabled.

**3614.7. Promissory Note Supersedes Regulations.**

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

*(The remainder of this page is intentionally blank.)*