

Scholarship for Engineering Education (SEE) Service Cancelable Loan Program

REGULATIONS - 3600

2009 - 2010 Award Year



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

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3602. Program Overview.

The Scholarship for Engineering Education (SEE) was created beginning with the 1997-1998 Award Year. The program is funded by the Georgia Lottery for Education and is administered by the Georgia Student Finance Commission, referred to in these regulations as the "Commission". SEE provides service-cancelable 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 an eligible private postsecondary institution in Georgia.

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3603. Definitions.

“ABET” means the Engineering Accreditation Commission of the Accrediting Board for Engineering and Technology.

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

“Appeal” means a formal written request from a student to the Commission for a review to determine if a rule, policy, or regulation was applied correctly in the student’s specific case.

“Award Year” means three consecutive semesters, beginning with the summer semester and ending with the spring semester.

“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 Degrees typically require a student to earn the equivalent of at least 120 semester hours of credit.

“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.

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

“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 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.

“Eligible Postsecondary Institution” means a private (non-public) postsecondary institution in Georgia offering engineering programs of study approved by the Engineering Accreditation Commission of the Accrediting Board for Engineering and Technology (ABET).

“Engineering-Related Field” means any position for which the employer provides written certification that engineering skill, knowledge, and ability, as certified by the attainment of a Baccalaureate Degree in engineering, are preferred or required.

“Exception” means a formal approval by the Commission for payment on behalf of a specific student, despite not having fulfilled the regulatory eligibility requirements for payment, based upon the merits of the student’s extenuating circumstances.

“Federal Title IV Programs” means student financial aid programs administered by the United States Department of Education that are authorized by Title IV of the Higher Education Act of 1965.

“Freshman” means a first-year postsecondary student who is fully admitted and enrolled in a Matriculated status to seek a Baccalaureate Degree at an Eligible Postsecondary Institution, and has earned less than 30 semester hours of credit.

“Full-Time” means enrollment for the equivalent of at least 12 semester hours per school term at a postsecondary institution.

“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 who meets the Georgia Residency requirements, according to the *Georgia Residency Requirements for State Programs Regulations* of the Commission, as specified and limited by these program regulations.

“Grace Period” means the 12-month interval of time, immediately following when a SEE recipient graduates with a Baccalaureate Degree or ceases to be enrolled, when no payments are due on his or her SEE obligation.

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

“HOPE Scholarship Program” or “HOPE Scholarship” means a State of Georgia student financial aid program that provides non-repayable merit-based scholarship assistance to Georgia Residents seeking degrees from Eligible Postsecondary Institutions. The HOPE Scholarship Program is authorized by the Official Code of Georgia Annotated § 20-3-519, funded by Georgia Lottery appropriations, and administered by the Commission in accordance with the *HOPE Scholarship Program Regulations*.

“Loan Funds” means the advance of monies to an eligible student, obligating the student to repay either by service within the State of Georgia or by cash, with interest, to the State of Georgia.

“Military Personnel” means an active duty 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.

“Postsecondary Cumulative Grade Point Average” means the grade point average required to enter the SEE program as an Upperclassman or for renewal of a SEE award. The Postsecondary Cumulative Grade Point Average is calculated on a traditional 4.00 scale, to the hundredth decimal, without rounding. A traditional 4.00 scale defined as 4.00 = A+, A, A-, 90.00 or above, 3.00 = B+, B, B-, 80.00 – 89.99, 2.00 = C+, C, C-, 70.00 – 79.99, 1.00 = D+, D, D-, 60.00 – 69.99, and 0 = F, 59.99 or below. All credit hours included in a Baccalaureate Degree program of study that was attempted after high school graduation, and corresponding grades, must be included in the calculation.

“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.

“Scholarship for Engineering Education” or “SEE” means the Service Cancelable Loan program, provided by the State of Georgia, to attract students into engineering programs of study at an eligible private postsecondary institution in Georgia.

“Service Cancelable Loan” means funds provided to a postsecondary student to assist with educational costs, which the student is obligated to repay through services rendered or by cash payments.

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

“Upperclassman” means an Undergraduate student who has earned at least the equivalent of 30 semester hours of credit and is no longer a Freshman.

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

3604. General Eligibility Requirements.

3604.1. Citizenship.

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

3604.2. Georgia Residency.

A student must meet the requirements to be classified as a Resident of Georgia, in accordance with the *Georgia Residency Requirements for State Programs 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.

- a. A student must be enrolled in an engineering program of study leading to a Baccalaureate Degree at an Eligible Postsecondary Institution, approved by the Engineering Accreditation Commission of the Accrediting Board for Engineering and Technology.
- b. 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.

A student must maintain Satisfactory Academic Progress, as certified by the Eligible Postsecondary Institution.

3604.5. Selective Service Registration.

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.

A student must not be in default on a Federal Title IV or State of Georgia educational loan, nor owe a refund on a Federal Title IV or State of Georgia student financial aid program, nor in any other way be in violation of Federal Title IV Regulations or State of Georgia student financial aid program regulations. 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 SEE funds 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, or 3) by consolidating the loan out of a default status, 4) by receiving an approved Title IV settlement.

3604.7. Georgia Drug-Free Act.

A student convicted of committing certain felony offenses involving marijuana, controlled substances, or dangerous drugs, is 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, O.C.G.A. § 20-1-24.

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3605. Program Specific Eligibility Requirements.

3605.1. Freshman Eligibility.

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.

- a. A student may enter the SEE program as an Upperclassman or renew his or her SEE award each Award Year as an Upperclassman.
- b. An Upperclassman must have a Postsecondary Cumulative Grade Point Average of at least a 2.50, based on a 4.00 scale, upon entry into the SEE program and to renew his or her SEE award.

3605.3. Length of Eligibility.

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.

A student must commit to work in Georgia in an Engineering-Related Field for one calendar year for each \$3,000 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.

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3606. Student Application Requirements.

3606.1. Application Forms.

A student must apply for SEE by completing and filing a Scholarship of Engineering Education Program Application and by submitting to the Commission a SEE promissory note with his or her notarized legal signature.

3606.2. Application Deadline Date.

- a. The Commission will distribute the applications to the financial aid offices of each Eligible Postsecondary Institution.
- b. An applicant must complete his or her portion of the application and deliver it to the school of engineering of the Eligible Postsecondary Institution for certification. The application is then forwarded to the financial aid office for completion and certification. The financial aid office forwards the completed application directly to the Commission for final determination of eligibility.
- c. All completed applications received by the Commission will be awarded on a first-come, first-served basis in the following priority order: First priority will be given to Upperclassman SEE recipients who are eligible to renew their SEE awards. Second priority will be given to Freshman students. Third priority will be given to Upperclassman not already participating in the SEE program. Awards will be made until funds are exhausted.
- d. A student must file the application online or in the 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. 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 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.

3606.3. Application Renewal.

A student must complete a renewal application each Award Year. Renewal applications will be sent directly from the Commission to current recipients after spring semester. A student must continue to meet all of the eligibility requirements in *Sections 3604 and 3605*. An applicant must file a renewal application before the last day of the academic term or the student's withdrawal date, whichever comes first, in order to be paid for that academic term.

3607. Award Requirements.

3607.1. Award Amount.

- a. 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.
- b. An eligible student may receive SEE payment for a maximum of three semesters (summer, fall, and spring) per Award Year, for a maximum total of \$5,250 per Award Year.

3607.2. Cost of Attendance and Other Aid.

- a. SEE funds may be applied to any portion of a student's Cost of Attendance, and only applied to his or her Cost of Attendance.
- b. 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 Cost of Attendance. Such student's SEE award amount must be reduced so that the combination of aid is equal to or less than the student's Cost of Attendance.

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3608. Authorizing and Disbursing Funds

3608.1. Authorization of Funds

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

3608.2. Disbursement

See funds are disbursed by the Commission to the Eligible Postsecondary Institution by method of electronic transfer.

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3609. Student Refund Requirements.

3609.1. 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 SEE fund. 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 "Withdrawal", or any other code or identification for such a withdrawal.
- b. If applicable, the Eligible Postsecondary Institution must first apply the Federal Title IV Return of Funds policy for any federal aid the student may have received. 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.
- c. The Eligible Postsecondary Institution must determine the amount of the SEE refund, post the refund on the student's record in the Commission's system within 45 days of the determination, and return that amount to the Commission at the time of the End-of-Year Reconciliation. The remainder of the award amount is retained by the institution to cover the institution's cost for the portion of the school term that the student was Enrolled.

3609.2. Collection of Refunds.

A student who owes a refund to the Commission should pay the Eligible Postsecondary Institution and the Eligible Postsecondary Institution 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 the Eligible Postsecondary Institution from using all available legal and equitable remedies to collect the refund.

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

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3610. Reconciliation Requirements.

3610.1. Award-Year Reconciliation.

The Eligible Postsecondary 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 1st immediately following the completion of the Award Year.

3610.2. Return of Funds.

The institution must return to the Commission any SEE 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 funds do not go to an unintended third party (i.e. State, institution)].

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3611. Records Retention Requirements.

3611.1. Length of Retention.

An 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 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.

3611.2. Documentation.

- a. Documentation contained within an individual student file or record, which supports the original determination of a student's eligibility, must be retained by the institution and available for review by the Commission on the institution's campus, located within the State of Georgia, for at least three calendar years after the most recent Award Year for which the student received funds. 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.
- b. Such documentation may include, but is not limited to, copies of permanent resident alien cards, Georgia income tax returns, student financial aid applications and academic transcripts from previous institutions. 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 Program Reviews. It is the institution's responsibility to resolve any inconsistencies or conflicting information within a student's records, prior to awarding or disbursing SEE funds to the student.

3611.3. Extended Retention.

An institution may be required to retain student records involved in a program review, audit, or investigation for more than the three-year retention period described above. If the three-year retention period expires before the issue in question is resolved, the institution must continue to retain all associated records until resolution is reached.

3612. Appeals and Exceptions.

3612.1. Appeals.

- a. The SEE regulations are applied to each student considered for such funds by appropriate officials of Eligible Postsecondary Institutions and by the administrative staff of the Commission. If a student believes a rule or regulation was incorrectly applied in his or her case, the student has the right to file an Appeal with the Commission. The Commission will review the case and determine whether the rule or regulation was applied correctly and notify the student and institution of the determination.
- b. In order for an Appeal to be considered, the student must write a request for an Appeal 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 by the student, rather than a personal presentation.

3612.2. Exceptions.

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

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3613. Program Reviews.

3613.1. Program Review Policy.

The Commission may conduct Program Reviews of Eligible Postsecondary Institutions in order to assess institutional administration of the program and compliance with the program's regulations. Program Reviews are conducted in accordance with the Commission's *Program Review Process and Procedures* document, which is available on the *gsfc.org* website, under *School and Lender Information-Compliance Documents*.

3613.2. Program Review Process.

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. Each Eligible Postsecondary 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 campus of the Eligible Postsecondary Institution, and such campus must be located within the State of Georgia.

3613.3. 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.
- b. 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 canceled. The Eligible Postsecondary Institution 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 will be ineligible to receive additional state aid from the Commission until the refund is paid in full, in accordance with *Section 3609.2*. If the student's file is determined not to be adequately documented by the Commission, then the Eligible Postsecondary Institution may be responsible for the repayment.

3614. Service and Cash Repayment Obligations.

3614.1. Loss of Eligibility.

- a. 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 Eligible Postsecondary Institution, prior to completion of his her second semester, the Eligible Postsecondary Institution shall repay to the Commission 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.
- b. In the event that an Upperclassman recipient of SEE fails to meet the requirements for continued eligibility for SEE, such student must repay to the Commission the total amount of SEE funds received, plus interest, in accordance with the SEE promissory note the student signed.

3614.2. Service Repayment.

- a. 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. The former SEE recipient must be physically located and working at a Georgia work site and employed in an engineering-related field for one calendar year for each \$3,000 awarded by the SEE program.
- b. 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. The employment obligation may be extended only if a deferment is approved by the Commission.
- c. The former SEE recipient must provide the Commission, in the form and at the times specified by the Commission, evidence of compliance with the service repayment requirements.

3614.2. Cash Repayment.

- a. The Commission shall convert a former SEE recipient from a service repayment status to a cash repayment status if the Commission, in its sole discretion, determines that the former SEE recipient is not meeting his or her service obligation in accordance with the promissory note.
- b. Upon designation by the Commission 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.

1. 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
2. Make monthly payments to the Commission of the outstanding principal, plus interest, in accordance with the promissory note. In no event shall the interest rate due exceed 10% per annum.

3614.3. Deferment of Repayment

- a. A former SEE recipient may apply for a deferment of repayment under certain conditions listed below.
 1. 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
 2. The former SEE recipient is serving as Military Personnel, not in excess of four years; or
 3. The former SEE recipient is temporarily disabled as established by sworn affidavit of a qualified physician satisfactory to the Commission; or
 4. 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
 5. 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.
- b. During the period of a deferment, approved by the Commission, the former SEE recipient shall not be required to meet the cash repayment or service repayment requirements and interest will not accrue on the outstanding principal.

3614.4. Cancellation of Repayment Obligation.

- a. The Commission shall cancel and forgive a former SEE recipient's repayment obligation, if the Commission determines the former SEE recipient is unable to be employed due to permanent and total disability, on the basis of a sworn affidavit of a qualified physician satisfactory to the Commission; or

- b. The Commission shall cancel and forgive a former SEE recipient's repayment obligation, if the former SEE recipient becomes deceased, on the basis of a death certificate or other conclusive evidence of death as determined by the Commission.

3614.5. Promissory Note Supersedes Regulations.

The complete service and cash 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.

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