

11 KAR 13:010. National Guard Tuition Award Program.

RELATES TO: KRS 164.516-164.5169

STATUTORY AUTHORITY: KRS 164.746(6), 164.748(4), 164.5161(2)

NECESSITY, FUNCTION, AND CONFORMITY: The 1996 regular session of the General Assembly enacted the Kentucky National Guard Tuition Award Program, and directed that the Kentucky Higher Educational Assistance Authority adopt administrative regulations pertaining to the financial management of the program, including the disbursement of funds. This administrative regulation is necessary to prescribe procedures for the disbursement of funds. The administrative regulation provides that the authority shall transfer funds to educational institutions upon receipt of an enrollment verification roster provided by the Department of Military Affairs identifying eligible participants and the amounts to be awarded.

Section 1. Definitions. The terms listed below shall have the following meanings:

- (1) The definition of "authority" is governed by KRS 164.740(1).
- (2) The definition of "educational institution" is governed by KRS 164.516(1).
- (3) "Participating educational institution" means an educational institution that has a contract in force with the authority on such terms as the authority may deem necessary or appropriate to the administration of the Kentucky National Guard Tuition Award Program and other programs administered by the authority.

Section 2. Prior to the beginning of each award period, defined in 106 KAR 3:010, Section 1(1), for which funds are to be disbursed, the Department of Military Affairs shall prepare enrollment verification rosters which identify the participating educational institution, the names and Social Security numbers of eligible students planning to attend each participating educational institution, the award amount for each eligible student to be disbursed by the authority, the award period for each eligible student, the academic year, and the total number of eligible students and total amount of awards. The enrollment verification rosters shall be transmitted by the Department of Military Affairs to the financial aid director at each participating educational institution.

Section 3. Following enrollment of students listed on the enrollment verification roster, the financial aid director or his designee at each participating educational institution that receives an enrollment verification roster shall verify each student's enrollment status and return the properly certified enrollment verification roster to the Department of Military Affairs.

Section 4. The Department of Military Affairs shall transmit the certified enrollment verification rosters to the authority with a request to transfer funds to the participating educational institutions. Upon receipt, the authority shall begin the necessary procedures to disburse funds to the appropriate educational institution.

Section 5. (1) A student who withdraws, changes enrollment status, or for any other reason is charged less than the amount certified on the enrollment verification roster may be due a refund of monies paid to the institution or owe a repayment to one (1) or more student financial assistance programs. If the student received student financial assistance, a portion of any refund shall be due to the student financial assistance programs. The amount of any refund or repayment shall be determined in accordance with the participating educational institution's refund and repayment policies relative to student financial assistance funds, except that if a Kentucky National Guard Tuition Award Program recipient officially or unofficially withdraws from or is expelled by an institution before the first day of classes of the award period, the award shall be cancelled and a full refund or

repayment of the Kentucky National Guard Tuition Award shall be required, notwithstanding any institutional policy to the contrary. These policies shall be consistently administered and published or otherwise made publicly available by the participating educational institution. The authority shall be notified in writing of any changes in such policies.

(2) In cases of unofficial withdrawal, the institution shall use the last recorded date of class attendance by the student as the end of the student's enrollment. If the institution is unable to document the student's last date of attendance, any Kentucky National Guard Tuition Award Program disbursement for that award period shall be subject to full refund and repayment. If, at any time, a Kentucky National Guard Tuition Award Program recipient's enrollment is terminated with no assessment of tuition and fees by the institution, then the full Kentucky National Guard Tuition Award shall be subject to cancellation, if not yet disbursed, or refund and repayment if the award has already been disbursed.

(3) Any refunds or repayments due on funds disbursed as Kentucky National Guard Tuition Award Program funds shall be paid to the authority. The authority shall deposit the refunds and repayments to an account to be used for other awards made pursuant to the program.

(4) Refunds by institutions and notifications of student repayments due transmitted to the authority shall be accompanied by the student's name and Social Security number, the reason for the refund or repayment, date of enrollment status change, the semester and year, and the calculation used for determining each refund or repayment.

Section 6. All documentation and correspondence relating to the cancellation, disbursement, and refund of awards shall be retained by the authority for audit purposes for a period of five (5) years from the date that the award was certified. Documentation may be retained in any format used by the authority for storage of its records in the normal course of business. (23 Ky.R. 2636; 3310; eff. 3-6-1997; Crt eff. 9-28-2018.)