

Selective Service Act Compliance

In accordance with the provisions of Chapter 618, 1989 Session Laws of the General Assembly (codified as N.C.G.S. § 143B-421.1), the Board of Governors of the University of North Carolina hereby adopts the following regulations concerning the requirement that recipients of certain student financial assistance be in compliance with the Military Selective Service Act (50 United States Code Appx. Sec. 453).

1. **Student Financial Assistance Covered.** These regulations govern eligibility of students to receive from or through the University of North Carolina scholarships supported by the State of North Carolina, financial assistance under programs funded by the State of North Carolina for post-secondary education, and loans insured by any agency of the State of North Carolina, including that student financial assistance authorized under N.C.G.S. Chapter 116, Article 23 (State Education Assistance Authority). This coverage pertains whether the specified financial assistance is applied to enrollment at a public or a nonpublic institution.
2. **Prerequisite to Receipt of Covered Assistance.** Every applicant for State-supported student financial assistance governed by these regulations shall, before receiving such assistance, properly complete and submit to the institution or agency responsible for disbursing the financial assistance a statement certifying either (1) that the applicant is not required to be registered under the Military Selective Service Act, indicating the reason therefor, or (2) that the applicant is so registered. This certification shall be in a form consistent with the appendix to these regulations.
3. **Noncompliance.** If an applicant fails to render the necessary certification in timely and proper manner, the applicant shall be notified that a proposed finding of ineligibility for the identified financial aid will be finalized unless, within 45 days of such notification, the applicant provides information that establishes the applicant to be in compliance with the registration requirements of the Military Selective Service Act.
4. **Contest of Proposed Finding of Ineligibility.** An applicant notified of a pending finding of ineligibility for the specified student financial aid may present to the official issuing the notice documentary or oral evidence to prove that the applicant is, in fact, in compliance with the registration requirement of the Military Selective Service Act by reason either of registration thereunder or exemption therefrom. The official issuing the notice of a pending finding of ineligibility may allow the applicant the opportunity for a hearing to challenge the proposed finding of ineligibility.
5. **Burden of Proof to Establish Eligibility.** An applicant for receipt of State-supported student financial assistance must establish by a preponderance of the evidence one of the following:
 - a. that the applicant is registered under the Military Selective Service Act;
 - b. that the applicant is not required to be registered under the Military Selective Service Act; or
 - c. that the requirement for the applicant to register has terminated or become inapplicable to the applicant and that the failure of the applicant to register was not a knowing and willful failure to register.
6. **Effective date.** These regulations are effective with respect to financial aid committed on or after October 1, 1989.

Appendix

Statement of Selective Service Registration Compliance

(Check A or B)

A. I certify that I am not required to be registered with the Selective Service System because (check one):

I am female.

I am in the armed services on active duty. (Note: Members of the Reserves and National Guard are not considered on active duty.)

I am under the age of eighteen years.

I was born before 1960.

I am a permanent resident of the Trust Territory of the Pacific Islands or the Northern Mariana Islands.

B. I certify that I am registered with the Selective Service System.

Name (Print) _____

Signature: _____ Date: _____