

## STUDENT LOAN REPAYMENT

<b>Employee:</b>
<b>Title, PP/Series/Grade:</b>
<b>Agency/Location:</b>

**References:** [5 U.S.C. 5379](#); [5 CFR 537](#)

**Instructions:** This checklist applies to reviews of student loan repayments benefits authorized on or after December 1, 2008.

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Agency has a loan repayment plan that includes the following elements: [ <a href="#">5 CFR 537.103</a> ]			
Y	N	Review Item	Comments
		1. The designation of officials with authority to review and approve offering student loan repayment benefits;	
		2. The situations when the loan repayment authority may be used;	
		3. Criteria that must be met or considered in authorizing loan repayments, including criteria for determining the size and timing of payments;	
		4. A system for selecting employees (or job candidates) to receive repayment benefits that ensures fair and equitable treatment;	
		5. Requirements associated with service agreements (including a basis for determining the length of service to be required if it is greater than the statutory minimum);	
		6. Procedures for making loan payments;	
		7. Provisions for recovering any amount outstanding from an employee who fails to satisfy a service agreement and conditions for waiving an employee's obligation to reimburse the agency for payments made; and	
		8. Documentation and recordkeeping requirements sufficient to allow reconstruction of the action taken in each case.	
		An authorized agency official has approved loan repayment benefits to: [ <a href="#">5 CFR 537.104(a)</a> ] <ul style="list-style-type: none"> <li>- Recruit a highly qualified job candidate; or</li> <li>- Retain a highly qualified employee.</li> </ul>	
		If retaining a highly qualified employee, during the service period established under a service agreement (consistent with <a href="#">5 CFR 537.107</a> ), will be serving under— <ul style="list-style-type: none"> <li>(1) An appointment other than a time-limited appointment; or</li> </ul>	

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		<p>(2) A time-limited appointment if—</p> <ul style="list-style-type: none"> <li>(i) The employee (or job candidate) will have at least 3 years remaining under the appointment after the beginning of the service period established under a service agreement; or</li> <li>(ii) The time-limited appointment authority leads to conversion to another appointment of sufficient duration so that his or her employment with the agency is projected to last for at least 3 additional years after the beginning of the service period established under a service agreement.</li> </ul>	
		<p>An employee is eligible for student loan repayment benefits if he/she is serving on: <a href="#">[5 CFR 537.104]</a></p> <ol style="list-style-type: none"> <li>1. Other than a time-limited appointment; or</li> <li>2. A time-limited appointment if: <ul style="list-style-type: none"> <li>- The employee will have at least three years remaining under the appointment after the beginning of the service period; or</li> <li>- The appointment leads to conversion to another appointment of sufficient duration so that projected employment will last for at least three additional years after the beginning of the service period.</li> </ul> </li> </ol>	
		<p>An employee is <u>ineligible</u> for loan repayment benefits if he/she occupies an excepted service position of a confidential, policy-making nature. <a href="#">[5 U.S.C. 5379(a)(2); 5 CFR 537.104(b)]</a></p>	
		<p>Before authorizing loan repayment benefits, an agency must make a written determination that the employee (or job candidate) is highly qualified and otherwise eligible. <a href="#">[5 CFR 537.105(a)]</a> Additionally:</p> <ul style="list-style-type: none"> <li>- If granted to recruit a job candidate, the agency would otherwise encounter difficulty in filling a position with a highly qualified individual. <a href="#">[5 CFR 537.105(a)(2)(i)]</a></li> <li>- If granted to retain a current agency employee, the individual is likely to leave the agency for employment outside the Federal service and it is essential to retain the employee's high or unique qualification or a special need of the agency. <a href="#">[5 CFR 537.105(a)(2)(ii)]</a></li> </ul>	
		<p>Student loan repayment benefits to employees meet the following conditions: <a href="#">[5 CFR 537.106]</a></p> <ol style="list-style-type: none"> <li>1. Student loan is qualifying</li> </ol>	

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	<p>2. Each loan approval is documented in writing</p> <p>3. Benefits are approved in connection with recruitment action before the job candidate actually enters on duty</p>	
	<p>Loan repayments follow appropriate procedures and do not exceed the maximum pay limits of: <a href="#">[5 U.S.C. 5379(b)(1); 5 CFR 537.106(c)]</a></p> <ul style="list-style-type: none"> <li>- \$10,000 per employee per calendar year; and</li> <li>- A total of \$60,000 per employee.</li> </ul>	
	<p>The signed written service agreement includes: <a href="#">[5 CFR 537.107]</a></p> <ol style="list-style-type: none"> <li>1. Minimum period of employment under a service agreement must be three years.</li> <li>2. Date the service period begins</li> <li>3. A provision addressing whether the individual would be required to reimburse the paying agency for benefits received if voluntarily separates to work for another agency prior to the end of the service period</li> </ol>	
	<p>Agency discontinues loan repayment benefits for employees who lose eligibility if the employee: <a href="#">[5 CFR 537.108]</a></p> <ol style="list-style-type: none"> <li>1. Separates from the agency;</li> <li>2. Does not maintain an acceptable level of performance (i.e. a rating of record of at least a Fully Successful or equivalent); or</li> <li>3. Violates a condition in the service agreement.</li> </ol>	
	<p>An employee who fails to complete the period of employment required by the service agreement or violates any agreement conditions must reimburse the paying agency for the amount received. <a href="#">[5 CFR 537.109]</a></p>	
	<p>Agency keeps records of determinations and submits required annual report to OPM. <a href="#">[5 U.S.C. 5379(h)(1); 5 CFR 537.110]</a></p>	
<p><b>Case File Summary/Comments:</b></p>		

**Reviewer/Title:** \_\_\_\_\_

**Date:** \_\_\_\_\_