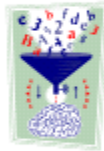


What We'll Talk About

- Information to be provided or made available
- Reports
- Resources and References



- These are **institutional requirements**.

Compliance requires collaboration with other offices on campus. Provide them with timely updates about requirements.

Reminders And Disclaimers

- Read the statute
- Read the regulations
- There are penalties for noncompliance



This presentation is meant to provide **guidance only** and is not a substitute for professional legal advice about consumer information.

Always discuss these types of issues with your campus legal advisor(s). Go back to the source (statutes and regulations) instead of relying on presentations. The consequence of not complying is possible loss of federal student aid.

Net Price Calculator

- Must provide on institution's website
- May use Department of Education's template
 - <http://npc.inovas.net/institution/>
- May develop your own customized version
 - At a minimum it must include the same elements as the Department's version



Due date: October 29, 2011

<http://npc.inovas.net/institution/>

Campus Technology published an article providing some guidance on using the Department's Net Price Calculator versus developing your own. www.campustechnology.com

Association for Institutional Research NPC center: <http://www.airweb.org/page.asp?page=2106>

Code Of Conduct

- Must prominently publish on website
- Prohibits a conflict of interest with the responsibilities of an agent of the institution/the institution with respect to private education loan
- All agents with responsibility for loans must be informed annually of the code's provisions



Must also PROHIBIT:

- Revenue sharing arrangements with any lender
- Receiving gifts from a lender, guarantor, loan servicer
- Contracting arrangement that provides financial benefits from any lender or affiliate of any lender
- Directing borrower to particular lenders or refusing or delaying loan certifications
- Offers of funds for private loans

- Call center or financial aid office staffing assistance
- Advisory board compensation.
- Consulting or other contracting arrangements between institution's agent and any lender except that an agent not employed in institution's financial aid office & not responsible for private education loans may perform paid or unpaid service on a board of directors of a lender, servicer, or guarantee agency. That agent must recuse himself/herself from decisions regard private education loans.
- Note: An officer, employee or contractor of a lender, servicer, or guarantee agency or private loans may serve on a board of directors or serve as a trustee of an institution if he/she recuses himself/herself from decisions regarding private loans and if such service complies with the board/institution's conflict of interest policy.
- Review the definitions for "revenue sharing" and "gift," and guidelines for serving on boards of directors, etc
 - o Revenue sharing: Lender provides or issues a private education loan to students at the school and the school recommends the lender or loan products of the lender and in exchange, the lender pays a fee or provides other material benefits, including revenue or profit sharing, to the institution.
 - o Gift: Any gratuity, favor, discount, entertainment, hospitality, loan, or other item values at more than a de minimus amount. Services, transportation, lodging or meals, whether provided in kind, by purchase of a ticket, payment in advance, or by reimbursement.
 - o Gift is NOT:
 - Standard material, activities, or programs on issues related to a loan.
 - Food, refreshments, or training that are part of a training session to improve service if training contributes to professional development of agent.
 - Favorable terms conditions, and borrower benefits on a private education loan provided to student employed in the financial aid office if terms are comparable to those provided to all student employees.
 - Entrance and exit counseling if the school staff are in control and counseling does not promote the products of any lender.
 - Philanthropic contributions from a lender, servicer, or guarantee agency not related to or made in exchange for any advantage related to private education loan.
 - State education grants, scholarships, or financial aid funds administered on behalf of a State.

Preferred Lender Arrangements

- Must be available in print or other medium
- Specific lenders the institution recommends, promotes, or endorses in accordance with a preferred lender arrangement
- At least two unaffiliated private education loan lenders
- Prominently disclose method or criteria used for selection of lenders to ensure they are selected on the basis of the best interests of the borrowers

Clearly and fully disclose why you participate in a preferred lender arrangement and include terms and conditions or provisions favorable to the borrower. State that the student and parent do not have to borrow from one of the preferred lenders. Your private education loan list must have at least two (2) unaffiliated lenders. The rules also apply to institution-affiliated organizations (alumni, athletics, foundation, etc.) Include information about preferred lender arrangements in publications or websites that describe financial aid opportunities and that discuss education loans.

- Institution-affiliated organizations (alumni, foundation, athletics, etc)
 - o Entity directly or indirectly related to a covered institution that recommends, promotes, or endorses education loans
- Clearly and fully disclose
 - o Why institution participates in a preferred lender arrangement with each lender – including terms and conditions or provisions favorable to the borrower
 - o That students and their families do not have to borrow from one of the preferred lenders
- Disclose on website, in publications, mailings, or electronic messages or materials distributed to prospective or current students and their families that describe financial aid opportunities available to students attending the institution and that describe or discuss education loans
- Maximum amount of Title IV HEA grant and loan aid available to students
- Information on Department's model disclosure form

Private Loans

- Provide to prospective borrowers, regardless of participation in Preferred Lender Arrangement
- Information required in Truth In Lending Act
- The prospective borrower may qualify for loans or other assistance under Title IV, HEA programs
- Terms and conditions of Title IV, HEA loans may be more favorable than the provisions of private loans
- Self-certification form



More information is available at ifap.ed.gov – Dear Colleague letter GEN-10-01 published 2/14/10

Student Loan Information

- Provide information published by Department of Education to students any time information regarding loan availability is provided
- Include rights and responsibilities of students and institutions under Title IV HEA loan programs
- How to use NSLDS to access loan information



Entrance And Exit Counseling

- Can use various delivery methods
- Always review the most recent regulations
- Resources include
 - Department of Education website
 - Mapping Your Future website



Provide comprehensive information about the loan. It is important that entrance and exit counseling include all the most recent information and comply with current regulations. Loan counseling can be a critical piece of a campus default aversion plan.

Entrance Counseling:

- Provided to each first time borrower of loan (except Parent PLUS or consolidated loan borrowers)
- Comprehensive information about the loan, including
- Effect of loan on eligibility of the borrower for other aid
- Explanation of use of Master Promissory Note
- Seriousness and importance of repayment obligation
- Information on the accrual and capitalization of interest
- Unsubsidized loan borrowers have the option of paying interest while in school
- Definition of half-time enrollment and consequences of not maintaining half-time enrollment
- Importance of contacting appropriate offices if student withdraws prior to completion of program of study
- Sample monthly repayment amounts
- Consequences of default
- Obligation of borrower to repay the full amount regardless of whether he/she completes program or completes within regular time for completion, is unable to obtain employment, or is otherwise dissatisfied with or does not receive the education or other services the borrower purchased from the school
- Information about NSLDS and how the borrower can access his/her records
- Name and contact information for person the borrower may contact with questions about rights and responsibilities of the terms and conditions of the loan

Exit Counseling

- Provided to each borrower shortly before he/she ceases at least half-time study at the institution (except Parent PLUS and consolidation loan borrowers)
- Comprehensive information about the loan, including
- Average anticipated monthly repayment amount
- Repayment plan options
- Options to prepay or pay on shorter schedule

- Debt management strategies
- Use of Master Promissory Note
- Seriousness and importance of student borrower's repayment obligation
- Terms and conditions for forgiveness or cancellation
- Copy of information provided the Department of Education
- Terms and conditions for deferment and forbearance
- Consequences of default
- Options and consequences of loan consolidation
- Tax benefits available to borrowers
- Obligation of borrower to repay the full amount regardless of whether he/she completes program or completes within regular time for completion, is unable to obtain employment, or is otherwise dissatisfied with or does not receive the education or other services the borrower purchased from the school
- Availability of the Student Loan Ombudsman's office
- Information about NSLDS

Double check regs to make sure everything is included

Notice Of Availability Of Institutional And Financial Aid Information

- Distribute to all enrolled students
- Availability of information as required under FERPA and HEA Sec. 485(a)(1), Sec. 485(f), Sec. 485(g) and Sec.485(j)
- Contact Information For Assistance In Obtaining Institutional And Financial Aid Information



Student Financial Aid And Cost Of Attendance Information

- Make available to prospective and current students
- Need-based and non-need-based federal, state, local, private, and institutional student financial assistance programs available to students who enroll
- Cost or price of attendance
- Review the regulations for details



Review regulations for complete list of information to be provided. You must include terms and conditions of loans, criteria for selecting recipients and determining award amounts, eligibility requirements and procedures for applying, method and frequency of disbursement, student rights and responsibilities as a Title IV HEA student aid recipient, general conditions and terms application to employment. Be sure to include information about aid available from the state in which the campus is located and how the student can find out about grant assistance from his/her home state.

Student Financial Aid and Cost of Attendance Information

- Terms and conditions of Title IV HEA loans
- Criteria for selecting recipients and for determining award amounts
- Eligibility requirements and procedures for applying for aid
- Method and frequency of disbursements of aid
- Rights and responsibilities of students receiving Title IV HEA student financial aid
- Include criteria for continued student eligibility
- Include satisfactory academic progress standards
- Terms of any loan received
- Include sample loan repayment schedule
- Include necessity to repay loan
- Statement that enrollment in study abroad program approved by institution may be considered enrollment in the institution for purposes of applying for federal student financial aid
- General conditions and terms applicable to employment provided as part of the financial aid package
- Exit counseling information that the institution provides and collects
- Provide to borrowers
- State Financial Aid - Availability of and eligibility for grant assistance
- From state in which institution is located
- Sources of information about grant assistance from other states to borrowers from other states
- Make available to prospective and current students
 - o Tuition and fees

- Books and supplies
- Room and board
- Transportation costs
- Any additional costs for a program in which the student is enrolled or expresses an interest

Refund Policy Requirements For Withdrawal And Return To Title IV HEA Financial Aid

- Make available to prospective and current students
- Institution's refund policy
- Requirements and procedures for official withdrawal
- Requirements for the return of Title IV HEA loans or grants



Drug Law Violations And FERPA

- Notice of Federal Student Financial Aid Penalties For Drug Law Violations
 - Provide to each student upon enrollment
- Family Education Rights & Privacy Act (FERPA)
 - Right to review education records
 - Institution's policies about disclosure, etc.



Advise students of the consequences of a drug offense conviction.

FERPA: How does the student review his/her education records, student rights related to those records, institutional policies, and the right to file a complain with the U.S. Department of Education.

Drug Law Violations

Notice of Federal Student Financial Aid Penalties for Drug Law Violations:

- Provide to each student upon enrollment


- Separate, clear, and conspicuous written notice
- Advises student of the consequences of a conviction for any drug offense during period of enrollment when student received Title IV HEA program funds (loss of Title IV HEA loan, grant, work study eligibility)
- Provide separate, clear, and conspicuous written notification in a timely manner to student who has lost eligibility, telling student the aid is lost and how to regain eligibility Provide annual notice to all enrolled students

FERPA:

- Right to review education records
- Right to request amendment of records
- Right to consent to disclosures of personally identifiable information
- Right to file complaint with Department of Education
- Procedures for reviewing education records and requesting amendments of the records
- If applicable, information about institution's policy about disclosures to school officials with legitimate educational interest in the education records
- To disclose directory information without prior consent, must provide
 - What type of information has been designated as directory information
 - Student's right to refuse to allow any or all of the information to be designated as directory information
 - Time period student has to notify the institution in writing

Textbook Information For Students And College Bookstores

- For Students:
 - Required, recommended textbooks, and supplemental materials
 - International Standard Book Number (ISBN)
 - Retail price information
- For College Bookstores:
 - Institution's course schedule for subsequent academic period
 - Student enrollment information for courses



Disclose on internet course schedule

Academic Program And Transfer Of Credit

- Academic Program Information
 - Make available to prospective and enrolled students
 - Faculty and other instructional staff
 - Any plans for improving the academic program
- Transfer Of Credit Policies And Articulation Agreements
 - Publicly disclose

Welcome To Transfer Navigator

Welcome to the CFNC Online Transfer Articulation System

Instructional, lab, physical facilities, faculty, and other instructional staff

List of institutions with which you have established an articulation agreement

Consumer Information On College Navigator Website

- Department of Education is required to post 26 items about institution
- College Navigator also contains a link to institution's website that provides information "in an easily accessible manner"



IPEDS information

Accreditation And Rates

- Institutional And Program Accreditation, Approval, Or Licensure
- Retention Rate
- Completion/Graduation And Transfer-Out Rates



Make available to prospective and enrolled students

Retention rate: Certificate or degree-seeking, first time, undergraduate students – IPEDS Fall Enrollment Survey

Completion or graduation rate of certificate or degree-seeking, first time, fulltime, undergraduate students – IPEDS Graduation Rate Survey

If your campus' mission includes providing substantial preparation for students to enroll in another Title IV HEA eligible institution, you must disclose a transfer-out rate for each cohort.

Note: Some data must be provided in disaggregated form, so your campus should carefully review all definitions and requirements.

Institutional and program accreditation, approval, or licensure

- Make available to prospective and enrolled students
- Associations, agencies, or governmental bodies that accredit, approve, or license the institution and its programs
- Procedures for obtaining and reviewing documents about accreditation, approval, or licensing

Retention Rate

- Make available to prospective and current students
- Retention rate of certificate or degree-seeking, first time, undergraduate students
- IPEDS Fall Enrollment Survey
- If requested by prospective student
- Make available prior to student's enrolling and
- Prior to student's entering into any financial obligation with the institution



Completion/Graduation and Transfer – out Rates

- Make available to prospective and enrolled students
- Completion or graduation rate of certificate or degree-seeking, first time, fulltime, undergraduate students
- Available by July 1 each year
- Most recent cohort that has had 150% of normal time for completion by August 31 of the prior year
- If requested by prospective student
- Make available prior to student's enrolling and

- Prior to student's entering into any financial obligation with the institution If institution's mission includes providing substantial preparation for students to enroll in another Title IV, HEA-eligible institution must disclose a transfer-out rate for each cohort.
- IPEDS Graduation Rate Survey
- Some data must be provided in disaggregated form, so carefully review all definitions and requirements

Employment and Graduate/Professional Education

- For graduates of degree or certificate programs
 - Placements in employment
 - Types of employment
- Job Placement Rates
 - Institution that advertises job placement rates as a means of recruiting students
- Graduate and professional education in which the institution's graduates enroll

Make available to prospective and current students

Carefully review these requirements, because they may differ based on whether or not your campus advertises job placement rates as a means of recruiting students. Have to document sources of information and methodology used to calculate various rates

Employment and Graduate/Professional Education Information:

- Make available to prospective and current students
- For graduates of the institution's degree or certificate programs
 - o Placements in employment
 - o Types of employment
- Identify source of placement information, timeframes and methodology used
- Not required to calculate placement rates, but must disclose any placement rate it calculates for any program

Job Placement Information

- Make available to prospective students – at or before student applies for enrollment
- Applies to institution that advertises job placement rates as a means of recruiting students
- Most recent available data concerning employment and graduation statistics
- Other information necessary to substantiate the truthfulness of the advertising
- Relevant state licensing requirements

Grad/Professional Education pursued by institution's graduates:

- Make available to prospective and current students
- Types of graduate and professional education in which graduates of the institution's 4-year programs enroll

- Identify source of placement information, timeframes and methodology used

Potpourri Of Disclosures

- Facilities And Services Available To Students With Disabilities
- Student Body Diversity
- Copyright Infringement Policies and Sanctions
- Voter Registration Forms
- Vaccination Policies
- Intercollegiate Athletic Program Participation Rates And Financial Support Data

Facilities and services information must also include information for students with intellectual disabilities (34 CFR 668.231).

Diversity: Gender, self-identified member of major racial or ethnic group, receiving Pell Grant

Copyright: Inform students that the unauthorized distribution of copyrighted materials, peer-to-peer file sharing could result in civil and criminal liabilities – Inform students of institutional policies and possible disciplinary action.

Voter Registration Forms: Make a good faith effort to distribute forms

Vaccination Policies

Athletic Program Participation: Applies to coeducational institutions that have intercollegiate athletic program

Make available to prospective and enrolled students: facility for disabilities, student body diversity, copyright infringement (annually), vaccination policies, athletic info (also has to be made available to the general public)

Make a good faith effort to distribute voter registration forms to students physically enrolled

Facilities and Services Available to Students with Disabilities:

- Make available to prospective and enrolled students
- Facilities and services available to students with disabilities, including students with intellectual disabilities (defined in 34 CFR 668.231)

Student Body Diversity

- Make available to prospective and enrolled students
- Percentage of enrolled fulltime students who are
 - o Male
 - o Female
 - o Self-identified member of major racial or ethnic group and receive a Federal Pell Grant

- Information is provided in IPEDS Fall Enrollment Survey and IPEDS Student Financial Aid Survey

Voter Registration Forms

- Make a good faith effort to distribute a mail voter registration form to each student enrolled and physically in attendance
- Make the voter registration form widely available to students
- Request the form from the state 120 days prior to deadline for registering to vote within the state

Vaccination Policies

- Make available to current and enrolled students
- Institution's policies regarding vaccinations

Copyright Infringement

- Make available annually to prospective and current students
- Explicitly informs students that unauthorized distribution of copyrighted materials, including unauthorized peer-to-peer file sharing, may result in civil and criminal liabilities
- Summary of the penalties
- Institution's policies on unauthorized peer-to-peer file sharing, and disciplinary actions taken against students

Athletics:

- Make available to prospective and current students and the general public
- Provide notice to prospective and current students of their right to request information
- Notify all secondary institutions of the availability of the report (submitted to Department of Education) and how to obtain it
- Applies to coeducational institution that has intercollegiate athletic program
- October 15 deadline
- Equity in Athletics Disclosure Act

Public Safety Information

- Drug And Alcohol Abuse Prevention Program
- Crime Log
- Fire Log
- Timely Warnings And Emergency Notifications
- Missing Student Notification
- Information For Crime Victims



Drug and Alcohol: Standards of conduct that clearly prohibit unlawful possession, use or distribution – Description of available counseling, treatment, rehabilitation, or re-entry programs – Report on effectiveness of programs

Crime Log: Daily log, open for public inspection – Applies to institution that maintains police or security department of any kind

Fire Log: Open for public inspection – On-campus student housing facilities

Timely Warnings and Emergency Notifications: Make timely reports to the campus community of crimes, have evacuation procedures and emergency response plans in place

Missing Student Notification: Applies to institutions that provide on-campus student housing

Information for Crime Victims: Must provide the results of disciplinary proceedings against a student who is the alleged perpetrator of the crime to the alleged victim of alleged crime of violence or non-forcible sex offence

Drug and Alcohol Abuse Prevention Program

- Must distribute in writing annually to each student (and employee)
- Students who enroll (and employees who are hired) after the annual distribution must also receive a copy
- Standards of conduct that clearly prohibit unlawful possession, use, or distribution of illicit drugs and alcohol on institution's property or as part of any of institution's activities
- Description of applicable legal sanctions
- Description of health risks
- Description of available counseling, treatment, rehabilitation or re-entry programs
- Clear statement that institution will impose sanctions for violation of standards of conduct
- Description of the sanctions
- Make information that was distributed available, upon request, to the Department of Education and the public
- Make available, upon request, to the Department of Education and the public, the results of a biennial review of institution's programs
- Effectiveness of programs
- Number of violations and fatalities
- Numbers and types of sanctions

Crime Log

- Open for public inspection
- Most recent 60 days must be available during normal business hours
- Portions that are more than 60 days old, must be available within 2 business days of a request
- Institution that maintains police or security department of any kind
- Daily crime log, with entries made in a timely fashion

Fire Log

- Open for public inspection
- Most recent 60 days must be available during normal business hours
- Portions that are more than 60 days old, must be available within 2 business days of a request
- Records, by date, that a fire was reported or occurred in an on-campus student housing facility
- Entries made within a timely fashion

Timely Warnings

- Must make timely reports to the campus community of crimes

- Considered to be threat to students and employees
- Reported to campus security authorities or local police agencies
- Policies regarding emergency response
- Evacuation procedures
- Must be included in annual campus security report

Missing Student Notification


- Must be included in annual security report
- Institution that provides on-campus student housing must comply
- Policy regarding missing student notification procedures

Information for crime victims

- Must provide to alleged victim of any crime of violence or non-forcible sex offense, upon written request
- Results of disciplinary proceedings against student who is the alleged perpetrator of the crime
- Applies to any disciplinary proceeding conducted by institution on or after August 14, 2009

Reports

- [Annual Report on Preferred Lender Arrangements](#)
- [Completion, Graduation, and Transfer-Out Rates for Students Receiving Athletically Related Student Aid Report](#)
- [Teacher Preparation Program Report](#)



Annual Report on preferred lender arrangements

- Made available to the public
- Provided to current students, prospective students, and their families
- Each institution and each institution-affiliated organization
- Information must be provided for each lender
- At minimum, the information the Department of Education determines must be disclosed
- Truth in Lending Act information for private lenders/loans
- Detailed explanation of the reasons why institution or institution-affiliated organization participates in a preferred lender arrangement with the lender
- Why the terms, conditions, and provisions of each type of loan are beneficial to the institution's students or their families.

Completion & transfer out rate for stdts getting athletic aid

- Provide to prospective student athletes and others at time offer of athletically related student aid is made
- Report July 1 each year
- Institution is in compliance if NCAA provides information about the institution to high school coaches and counselors

Teacher Prep report

- Provide report to general public
- Goals and assurances
- Pass rates and scaled scores
- Program information such as admission criteria, enrollment, etc.
- Statement of accreditation
- State designation as “low performing” program if applicable
- Description of various teacher preparation activities

Reports

- Security Report
 - Emergency Response and Evacuation Procedures
 - Timely Warnings
 - Crime Log
 - Missing Person Notification Policy
- Fire Safety Report (can be included with Security Report or provided separately)



Security report

- Report or notice of the report must be distributed to each current student (and employee)
- Notify prospective students (and employees) of report’s availability
- Must be provided by October 1
- Includes
 - Emergency response and evacuation procedures
 - Timely warnings to campus
 - Crime log
 - Missing person notification policy
- Can include Fire Report

How To Provide Information

- Some information must be posted to institution's website
- Some information must be "made available"
 - OK to post this type of information on institution's website
- Some information must be "provided"
 - Have to do more than simply post on institution's website
- Guidelines may differ, depending upon the intended audience

Remember that employees are also your audience and there are consumer information requirements governing disclosures to current and prospective employees.

Resources and References

Information Required to Be Disclosed Under the Higher Education Act of 1965: Suggestions for Dissemination. Report of the National Postsecondary Education Cooperative, October 2009 (updated November 2009). Prepared by Carol Fuller and Carlo Salerno, Coffey Consulting, Washington, D.C. Available at nces.ed.gov

U.S. Code of Federal Regulations

U.S. Code

Title 20, Education, Chapter 28 – Higher Education Resources and Student Assistance
Title 20, Education, Chapter 31 – General Provisions Concerning Education
Higher Education Opportunity Act of 2008 (Public Law 110-315)
Higher Education Technical Corrections (2009) (Public Law 111-39)

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