

Consumer Information

OASFAA
Columbus, OH
December 13, 2010

Transparency In College Tuition For Consumers

- Beginning 7/1/2011 Secretary required to make publicly available on College Navigator website (<http://nces.ed.gov/collegenavigator/>) following lists of institutions by category:
 - Highest tuition/fees for most recent academic year (top 5%)
 - Highest net price for most recent academic year (top 5%)
 - Largest percentage increase of tuition/fees over three most recent academic years


Transparency In College Tuition For Consumers

- Largest percentage increase in net price over three most recent academic years
- Lowest tuition/fees for most recent academic year (lowest 10%)
- Lowest net price for most recent academic year (lowest 10%)

Categories Of Institutions

- Four-year public
- Four-year private, non-profit
- Four-year private, for-profit
- Two-year public
- Two-year private, non-profit
- Two-year private, for-profit
- Less than two-year public
- Less than two-year private, non-profit
- Less than two-year private, for-profit


4



Consumer Information

- By August 2009, Secretary shall make publicly available on College Navigator website (<http://nces.ed.gov/collegenavigator/>) a sortable and searchable list of all Title IV participating institutions and related consumer information for most recent academic year


5



Data To Be Compiled Includes

- School mission
- # students by gender, race, ethnicity, place of residence, disabilities
- School applications, admissions, test scores, enrollments
- Completion rates and credentials awarded
- Transfer rates and transfer credit policies
- Student/faculty ratios
- Cost of attendance
- Pricing Information
- Amounts of grant, loan and work aid (including default rate)
- Student activities
- Campus safety
- Career/placement services
 - AND MORE

6





Final Regulations Issued

Pell, FWS, TEACH, Consumer Information

- October 29, 2009

FFEL, DL, & Perkins Loan Provisions

- October 28, 2009
 - Private Education Loans
 - Preferred Lender Arrangements
- October 29, 2009

8

Title IV Loan School Code Of Conduct

- Title IV Loan Code of Conduct required under Program Participation Agreement (PPA)
 - Must publish code of conduct prominently on institution's website
 - Must administer and enforce such code
 - Must require that all of the institution's officers, employees, and agents with responsibilities with respect to such loans be annually informed of the provisions of the code of conduct


9

34 CFR 601.21; 668.14

**Title IV Loan
School Code Of Conduct**

- Must include, at a minimum
 - Ban on revenue-sharing
 - Gift ban
 - Prohibited contracting arrangements
 - Prohibit assigning of lender to first-time borrower
 - Prohibit refusal to certify or delay of certification based upon choice of lender
 - Prohibition on offers of funds for private loans
 - Ban on staffing assistance
 - Prohibition on receipt of compensation for advisory board service


10 34 CFR 601.21; 668.14



**Consumer Information
Plans for Improving Academic Program**

- Institution must make readily available any plan for improvement of any academic program
 - Upon determination that such a plan exists
 - Institution may determine what a “plan” is and when a plan becomes a plan


11 34 CFR 668.43(a)(5)



**Consumer Information
Retention Rate**


- Added requirement for disclosure of retention rate as disclosed to IPEDS
 - For a prospective student, rate must be made available prior to his or her enrolling or entering into any financial obligation with the institution

12 34 CFR 668.41(d)




Consumer Information Placement

- New requirement for institution to provide information on placement of and types of employment obtained by graduates
 - Includes any placement rates calculated by institution
- Must identify source of information provided, including associated timeframes and methodology

13 34 CFR 668.41(d) 


Consumer Information Graduate & Professional Education

- New requirement to disclose types of graduate & professional education pursued by graduates of institution's 4-year degree programs
- Must identify source of information provided, including associated timeframes and methodology

14 34 CFR 668.41(d) 

Consumer Information Completion & Graduation Rate


- Requires dissemination of completion and graduation rates by certain categories
 - Gender and ethnicity
 - Pell Grant recipients
 - Loan recipients who receive Pell
 - Loan recipients who do not receive Pell
- Not required if it would not be statistically reliable or would reveal individual identities
 - Does not apply to 2 yr degree granting institutions until 2011-12

15 34 CFR 668.45(a)(6) 

**Consumer Information
Completion & Graduation Rate**

- Alternative completion/graduation rate calculation allowed for students who left to:
 - Serve in the Armed Forces
 - Serve on official church missions
 - Serve with a foreign aid service of the Federal Government (such as the Peace Corps)
- If 20% or more of certificate or degree-seeking, full-time undergraduate students left school for above reasons, institution may recalculate their completion rate
 - Add to the 150% timeframe normally allowed, time students were not enrolled due to service in a specified category


16 34 CFR 668.45(d)(2)



**Peer-to-Peer File Sharing
and Copyrighted Materials**

- Adds requirement to PPA that institution has developed and implemented written plans to effectively combat unauthorized distribution of copyrighted materials
 - Applies to all users of institution's network without interfering with educational and research use of network
- Also adds a requirement that the institution publish and distribute its policies and sanctions related to copyright infringement


17 34 CFR 668.43(a)(10)



**Peer-to-Peer File Sharing
and Copyrighted Materials**

- Institutions must, in consultation with chief technology officer, or other designated officer of institution
 - Review legal alternatives for downloading or otherwise acquiring copyrighted materials
 - Make available results of said review to students
 - To extent practicable, offer legal alternatives for downloading or acquiring copyrighted materials

18 34 CFR 668.43(a)(10)



**Campus Safety
Hate Crime Reporting**

- List of hate crimes institution must report to the Department is expanded to include:
 - Larceny-theft
 - Simple assault
 - Intimidation
 - Destruction, damage or vandalism of property
- Appendix A to Subpart D of 34 CFR part 668 updated to include revised FBI definitions for:
 - Weapons, drug abuse violations and liquor law violations

19 34 CFR 668.46(c)(3)

**Campus Safety
Emergency Response/Evacuation**

- As part of annual security report institution must include a policy statement on emergency evacuation and response procedures
 - Must describe how it will test procedures on an annual basis to reach students/staff
 - Must describe how the institution will immediately notify the campus community upon confirmation of an emergency or threat - unless notification will compromise efforts to contain the emergency
 - Required with the annual security report distributed by October 1, 2010

20 34 CFR 668.46(a) and (b)

**Campus Safety
Emergency Response/Evacuation**


- Required elements of policy statement
 - Procedures to immediately notify campus community upon confirmation of significant emergency or dangerous situation
 - Description of process institution will use to:
 - Confirm there is a significant emergency or threat
 - Determine appropriate segment (s) of campus community to be notified
 - Determine the content of the notification
 - Initiate the notification system

21 34 CFR 668.46(g)

Campus Safety
Emergency Response/Evacuation

- Statement that institution will (w/o delay and accounting for safety of the community) determine the content of the notification and initiate the notification system
- List of titles of responsible persons/organizations
- Procedures for disseminating emergency information to the larger community
- Procedures for testing emergency response and evacuation on at least an annual basis


22 34 CFR 668.46(g)



Campus Safety – Timely Warning and Emergency Notification

- Clarification of difference between timely warning and emergency notification
 - Timely warning must be issued in response to specified crimes
 - Emergency notification required for immediate threat to health/safety of students and employees
- Institution following emergency notification procedures is not required to issue a timely warning for same circumstances
 - Adequate follow-up information must be provided


23 34 CFR 668.46(e)



Campus Safety
Missing Student Notification Policy

- Institution that provides on-campus student housing must include statement of policy in annual security report regarding missing student notification procedures for resident students
 - On-campus housing facility is a dormitory or other residential facility located on an institution’s campus

24 34 CFR 668.46(h)



Campus Safety
Missing Student Notification Policy

- Policy must
 - Indicate titles of persons/organizations to whom missing student should be reported if missing for 24 hours
 - Require that official missing student reports be immediately referred to campus police/security or local law enforcement
 - Contain an option for each student to identify a contact to be notified within 24 hours of determination that student is missing, if determined missing by law enforcement

25 34 CFR 668.46(h)

Campus Safety
Missing Student Notification Policy

- Advise students that their contact information will be registered confidentially, accessible only to authorized officials and disclosed only to law enforcement in furthering a missing person investigation
- Advise students that if under 18 and not emancipated, custodial parent or guardian must be notified
- Advise students that regardless of whether a contact person is named, local law enforcement will be notified within 24 hours of determination of missing

26 34 CFR 668.46(h)

Campus Safety
Annual Fire Safety Report


- Institution with on-campus student housing must distribute an annual fire safety report
 - Beginning by October 10, 2010
 - Annual security report and annual fire safety report may be published together
 - Same distribution method proposed as for annual security report

27 34 CFR 668.41(e)

**Campus Safety
Annual Fire Safety Report**

- Annual fire safety report must contain certain statistics for 3 most recent calendar years for which data are available including
 - Number of fires in on-campus housing facilities
 - Cause of each fire
 - Number of injuries/deaths related to each fire
 - Injuries that require treatment at a medical facility
 - Value of property damage caused by the fire


28 34 CFR 668.49 (b) and (c)



**Campus Safety
Annual Fire Safety Report**

- Beside fire statistics, annual fire safety report must include the following -
 - Description of each on-campus student housing facility fire safety system
 - Number of mandatory supervised fire drills
 - Policies/rules on portable electrical appliances, smoking and open flames in a student housing facility
 - Procedures for student housing evacuation in the case of a fire
 - Policies regarding fire safety education and training programs provided students/faculty/staff
 - List of titles of persons/organizations to which students should report that a fire occurred
 - Plans for future improvements in fire safety, if determined necessary by the institution


29 34 CFR 668.49(b)



Campus Safety – Fire Log

- Institution that maintains on-campus student housing must maintain a fire log
 - Must be written and easily understood
 - Must record by date reported, any fire in an on-campus student housing facility
 - Nature, date, time and location of each fire
 - Entries must be made within 2 business days of receipt of the information
 - Fire log for the most recent 60 day period must be available for public inspection during business hours
 - Older portion of log within 2 business days of request
 - Must be source document for annual fire safety report


30 34 CFR 668.49(d)



Distance Education

- Now defined as education that delivers instruction to students who are separated from instructor and supports *regular and substantive interaction* between students and instructor using technologies that may include
 - the Internet
 - one-way and two-way transmissions through open broadcast, closed circuit, cable, microwave, broadband lines, fiber optics, satellite, or wireless communications devices;
 - audio conferencing
 - video cassettes, DVDs, and CD-ROMs, if the cassettes, DVDs, or CD-ROMs are used in a course in conjunction with any of above technologies


31 34 CFR 600.2



Private Education Loan

- Issued expressly for postsecondary education expenses
- May be made through school or directly to borrower
- Does not include
 - Title IV loans
 - Extension of credit under open end consumer credit plan
 - Reverse mortgage transaction
 - Residential mortgage transaction
 - Any other loan secured by real property or a dwelling
 - Extension of credit in which school is lender if
 - The term of extension of credit is 90 days or less
 - OR
 - An interest rate will not be applied to the credit balance and the term of the extension is one year or less, even if the credit is payable in more than four installments.


32 34 CFR 601.2



Private Education Loan Disclosures

- Disclosures must be made to prospective borrowers by any institution or institution-affiliated organization that provides information regarding private education loans
- Must be distinct from information related to Title IV loans
- Must include
 - Any information required under Truth in Lending Act
 - Notice that may qualify for loans or other assistance under Title IV
 - Notice that terms/conditions of Title IV loans may be more favorable than private education loans

33 34 CFR 601.11




Private Education Loan Self-Certification

- Effective 2/14/10, an institution must provide, upon request of borrower, the Self-Certification form and/or required information
 - Cost of attendance
 - Estimated Financial Assistance
 - Difference between COA and EFA
- May post form on web site or provide paper copy
- TILA requires that completed and signed Self-Certification form be obtained from borrower before a private education loan is consummated

DCL GEN-10-01

34 34 CFR 601.11




Preferred Lender Arrangement

Definition

- Arrangement/agreement between a lender and an institution or institution-affiliated organization under which lender provides education loans to students or families of students and institution or affiliated organization recommends, promotes, or endorses education loan products of lender


35 34 CFR 601.2



Not A Preferred Lender Arrangement

- PLA does not include
 - Direct Loan Program
 - Private education loans made by the institution, or by an institution affiliated organization if loan is made
 - Using institution's own funds
 - With donor-directed contribution
 - Under Title VII or VIII of Public Service Health Act
 - Loans made under State funded program that includes a loan forgiveness option for public service

36



Components of Preferred Lender List

- Information required in the model disclosure form developed by the Secretary together with the Federal Reserve
 - *Federal Register published August 14, 2009 by Federal Reserve System covering Truth In Lending contains model disclosure form
<http://edocket.access.gpo.gov/2009/pdf/E9-18548.pdf>
- Statement of why school participates with each lender
 - Terms/conditions/provisions favorable to borrower
- Statement that students may choose any lender, on or off preferred lender list
- Method and criteria used in selecting lenders

37 34 CFR 601.10

Components of Preferred Lender Arrangement

- Must include
 - For Private Education Loans, at least two unaffiliated lenders
 - Must specifically indicate, for each listed lender, whether that lender is or is not an affiliate of each other lender on PLA
 - If includes affiliated lenders, description of details of affiliation

38 34 CFR 601.10(d)

Preferred Lender Disclosures

- Preferred lender arrangement requires disclosure of
 - Maximum amount Title IV grant and loan aid available
 - TILA information about any education loan for which school has PLA
- Disclosures
 - Must be made on web site and in all publications, mailings, electronic messages or materials that are distributed to prospective/current students and describe financial aid opportunities to students
 - Must be made annually prior to student's selection of lender


39 34 CFR 601.10(a) & 34 CFR 601.10(e)(2)

Drug & Alcohol Abuse Prevention

- HEOA added requirement that as part of biennial review of prevention program effectiveness, that schools
 - determine number of drug and alcohol violations and fatalities that occur on campus and are reported to campus officials
 - determine number and type of sanctions imposed as result of these violations and fatalities

★ Effective 8/14/08


40 Title I, Part B, Section 107/120



Drug-Related Offenses

- At enrollment, school must provide each student with separate, clear, and conspicuous notice advising of penalty for convictions of drug-related offenses
- After loss of eligibility, school must provide affected student with separate, clear, and conspicuous notice regarding
 - Loss of eligibility
 - Ways to regain eligibility


41 Title IV, Part G, Section 488/485



Net Price Calculator

- HEOA required Department to develop net price calculator for purpose of helping current and prospective students/families estimate individual net price of an institution
 - Department posted calculator on 10/29/09
- Not later than two years after Department makes calculator available, all Title IV institutions must make one publicly available on web site
- An institution may use either the net price calculator developed by Department or it may develop its own


42 Title I, Section 111/132



Institution's Calculator

- Institutionally developed calculators must include “at a minimum the same data elements” found in the Department’s template
- Individual net price estimates must include disclaimer that the estimate is neither final nor binding and is subject to change, that the student must complete a FAFSA to be eligible for Title IV aid
- Link to the FAFSA website must be included


43 Title I, Section 111/132




Definition Of Net Price

- Net price is defined as the average yearly price actually charged full-time, first-year undergraduate students receiving student aid at an institution of higher education – calculated by subtracting the average need-based and merit-based grant from the COA


44 Title I, Section 111/132



<http://www.ed.gov/policy/highered/leg/hea08/index.html>




45



Information For College Bookstore

- Title IV institutions must provide to a college bookstore operated by, in a contractual relationship with, or otherwise affiliated with the institution
 - Course schedule for subsequent academic period
 - For each course or class offered by the institution for the subsequent academic period—
 - the ISBN and retail price in for each college textbook or supplemental material required or recommended for such course or class
 - the number of students enrolled in such course or class
 - the maximum student enrollment for such course or class

46 Title I, Section 112/133




Textbook Information - Publishers

★ Effective 7/1/10

Textbook publishers must provide to Title IV institutions:

- Price at which textbooks/supplemental material will be available to school bookstores, and price to the public
- Copyright dates of three previous textbook editions
- Description of substantial content revisions made between current and previous edition
- Whether the textbook/supplemental material is available in any other format and the price of to school bookstores and the public

47 Title I, Section 112/133




Textbook Information - Institutions

★ Effective 7/1/10

- Requires institutions to disclose on internet course schedule:
 - International Standard Book Number (ISBN) and retail price for each required or recommended textbook
 - Author, title, publisher and copyright date if ISBN is unavailable
 - Indication that the required information is unavailable if it is yet to be determined with designation “to be determined”

48



Thank You!

Jamie A. Malone
Training Officer
U.S. Department of Education
312-730-1528
jamie.malone@ed.gov

Please provide any comments regarding this training or the trainer to:

Jo Ann Borel
Title IV Training Supervisor
joann.borel@ed.gov
202-377-3930

49

