



PacFAA Spring 2018 Conference

Session 7

Consumer Information

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In this session...

- ▶ Overview
- ▶ Required Annual Notice
- ▶ Priority Disclosures & Reports
- ▶ Categorizing the General Disclosure Requirements
 - ▶ Financial aid information
 - ▶ Institutional information
 - ▶ Other required disclosures
 - ▶ Required reports & deadlines
- ▶ Best Practice Examples

Overview

- ▶ Why should I care about consumer information?
- ▶ What are the consumer information requirements?
- ▶ Who is responsible for all this stuff?

Why Should I Care?

- ▶ It's the law! HEA requires institutions to disclose certain information as part of Title IV participation (audits, program reviews)
- ▶ Schools may face penalties for noncompliance
- ▶ Many requirements are directly related to the management of federal student aid funds
- ▶ **Best Practice** - FA professionals are aware of requirements and take a leadership position on knowing what needs to be done

What Are the Requirements?

- ▶ Consumer information, disclosures, & required school reports often overlap
- ▶ This session will consider all 3 overlapping areas together
- ▶ **Best Practice** - FA professionals collaborate with others on campus to establish awareness of requirements

Who is Responsible?

- ▶ No regulatory mandate on what office is responsible for each item
- ▶ Information needed from offices across the campus, not just the financial aid office
- ▶ **Best Practice** - FA office assumes leadership of FA-related items and collaborates with other offices on other items

Institutional Offices Likely to Have Some Responsibility

- ▶ Financial Aid Office
- ▶ Registrar
- ▶ Admissions
- ▶ Business Office/Bursar
- ▶ Campus Police/Security
- ▶ Human Resources
- ▶ Athletics
- ▶ ADA/Disability Services
- ▶ Institutional Research
- ▶ Academic Affairs
- ▶ Student Housing
- ▶ Study Abroad Office
- ▶ Public Communications
- ▶ Health Services
- ▶ Executive Leaders
- ▶ IT Services
- ▶ Counseling/Career Center
- ▶ Book Store

Required Annual Notice

(34 CFR 668.41-44)

- ▶ Required notice containing specific "priority" categories sent annually to all students
- ▶ "Notice" means a 1:1 communication
- ▶ May use USPS mail, campus mail, or electronic mail
- ▶ **Best Practice** - Put as much as possible on one website & include electronic address for the website in the notice

Annual Notice Details

- ▶ List and briefly describe the information & how to obtain it
- ▶ State that you will provide a paper copy of information upon request
- ▶ Note some items must be provided as a notice to prospective students and prospective employees also
- ▶ **Best Practice** - Set up automated system to provide notices to required groups

Annual Notice Content

- ▶ Explain availability of information in these required categories (see FSA Handbook Vol. 2, Ch. 6):
 - ▶ Annual security report
 - ▶ Annual fire safety report
 - ▶ Equity in Athletics Data Act (EADA) report
 - ▶ FERPA information
 - ▶ General disclosures & consumer info
- ▶ **Best Practice** - Direct everyone to one web page that has links to the required information

Annual Security Report

- ▶ Clery Act requires all schools to:
 - ▶ Collect, classify, and count crime reports & statistics
 - ▶ Publish & distribute annual security report
 - ▶ Submit crime statistics to U.S. Dept. of Ed.
 - ▶ Issue timely warnings & emergency notifications

Annual Security Report (continued)

- ▶ Annual report must be published & distributed to current students by October 1st
- ▶ Must notify prospective students & employees about annual security report
- ▶ Must be a single document
- ▶ Must include:
 - ▶ 3 calendar years of campus crime statistics
 - ▶ All required current campus safety & security policies & procedures

Annual Security Report (continued)

- ▶ Violence Against Women Act (VAWA) changed Clery Act requirements
 - ▶ Effective July 1, 2015
 - ▶ GEN-15-15 provides details
 - ▶ ASR must include new crime categories

Annual Fire Safety Report

- ▶ Required of schools with on-campus student housing
- ▶ Components
 - ▶ Must publish & distribute annual report by October 1st
 - ▶ Submit fire statistics to U.S. Dept. of Ed.
 - ▶ Maintain log of reported fires
 - ▶ Conduct safety drills
 - ▶ May be combined with Annual Security Report but must specify the other if separate

Campus Security Resources

- ▶ OPE Campus Security webpage
<http://www2.ed.gov/admins/lead/safety/campus.html>
- ▶ Handbook for Campus Safety and Security Reporting
http://rems.ed.gov/docs/ED_CampusSafetyAndSecurityReportingHandbook.pdf
- ▶ Fire safety statistics
 - ▶ HEA Sec. 485(f)(5), 485(i)(2)
 - ▶ 34 CFR 668.41(e)(5), 668.46(c), 668.49(c)

Equity in Athletics Disclosure Act (EADA) Report (34 CFR 668.41 & 668.47)

- ▶ Co-ed institutions w/intercollegiate athletic program
- ▶ Annual EADA report published by October 15
- ▶ Must make available upon request to students, prospective students and the public
- ▶ Report contains info on students, athletes w/ athletically-related student aid, completion & graduation rates, transfer out rates
- ▶ EADA resource:
<https://www2.ed.gov/finaid/prof/resources/athletics/eada.html>

Annual FERPA Notification (34 CFR 668.41(c); 34 CFR Part 99)

- ▶ Must notify students annually of their rights under FERPA to:
 - ▶ Inspect & review education records
 - ▶ Request amendment of education records
 - ▶ Consent to disclosure of personally identifiable info with certain exceptions
 - ▶ File a complaint with US Dept. of Ed.
- ▶ FERPA Resource – Family Policy Compliance Office (FPCO): www.ed.gov/fpc
 - ▶ Email ferpa@ed.gov
 - ▶ Telephone: 202-260-3887

Categorizing the General Disclosure Requirements

- ▶ Many ways to categorize requirements:
 - ▶ Current & prospective student information
 - ▶ Financial aid & non-financial aid information
 - ▶ By functional area (academic, health services, etc.)
- ▶ **Best Practice** - Think big picture & organize info into categories that make sense for your school

General Disclosures & Consumer Information Categories

- ▶ Drug & alcohol abuse prevention & drug-free workplace requirements
- ▶ Financial aid information
- ▶ Institutional information
- ▶ Other required disclosures
- ▶ Required reports

Drug & Alcohol Abuse Prevention & Drug-Free Workplace (34 CFR 668.14(c) & 34 CFR 84 & 86)

- ▶ All Title IV participating schools must have a drug & alcohol abuse prevention program (DAAPP)
- ▶ All schools with campus-based Title IV programs must have a drug-free awareness program for employees

Drug & Alcohol Abuse Prevention & Drug-Free Workplace (continued)

- ▶ Materials must include:
 - ▶ Standards of conduct regarding drugs & alcohol for students & employees
 - ▶ Sanctions for unlawful acts & distribution
 - ▶ Description of counseling, treatment or rehab programs available
 - ▶ Clear statement that school will impose sanctions for violations

Drug & Alcohol Abuse Prevention Program

- ▶ Information must be distributed to all students & employees annually (via publication, email, catalog, handbooks, etc.)
- ▶ New students and new employees must receive information also
- ▶ Program Participation Agreements must include certification of DAAPP
- ▶ Biennial review required to determine program's effectiveness and ensure sanctions are enforced

Drug Free Workplace Requirements for Campus-Based Institutions

- ▶ Establish a drug-free awareness program
- ▶ Must distribute to all employees
- ▶ Identify prohibited unlawful activities & penalties for violation
- ▶ Notify U.S. Dept. of Ed. and take appropriate action when employees are convicted of act under criminal drug statute

Financial Aid Information (34 CFR 668.41(d) & 668.42)

- ▶ Must make information readily available to any enrolled or prospective student (via publications, mailings, or electronic media)
- ▶ Financial aid disclosure(s) must include:
 - ▶ Financial assistance available & procedures for applying, eligibility requirements, etc.
 - ▶ Rights & responsibilities of students receiving financial aid (esp. federal aid)
 - ▶ Info on disbursements, how to obtain books & supplies for Pell-eligible students by 7th day of payment period

Financial Aid Information (continued)

- ▶ Financial aid disclosure(s) must include:
 - ▶ Terms of conditions of any loans in FA package - entrance counseling, sample loan repayment schedule, and statement on borrower's obligation to repay loans
 - ▶ Terms & conditions of Direct Loan and Perkins Loan programs & TEACH grant (if school participates)
 - ▶ Student employment terms & conditions (if in FA package)
 - ▶ Exit counseling information the school provides & collects

Financial Aid Information (continued)

- ▶ Financial aid disclosure(s) must include:
 - ▶ Any refund policies
 - ▶ Requirements and procedures for officially withdrawing from the school
 - ▶ Return to Title IV (R2T4) requirements
 - ▶ FSA eligibility for study abroad
- ▶ Note: schools must designate at least 1 employee to be available to assist students in obtaining required financial aid information (a waiver of this requirement is possible for small schools)

Financial Aid Information (continued)

- ▶ Net price calculator
 - ▶ Must be accessible on campus website
 - ▶ Updated annually
- ▶ Financial aid shopping sheet (voluntary)
- ▶ Private education loan disclosures, self-certification form, and other requirements

Institutional Information (34 CFR 668.43 & 668.45)

- ▶ Academic programs
- ▶ Instructional facilities
- ▶ Accreditation & licensure
- ▶ Faculty & instructional personnel
- ▶ Institutional plans for academic program improvement (if applicable)
- ▶ Written academic arrangements (e.g., consortium agreements, articulation agreements, etc.)

Institutional Information (continued)

- ▶ Cost of attendance
- ▶ Textbook information
- ▶ Disability services & facilities
- ▶ Transfer of credit policies
- ▶ Satisfactory academic policies (SAP) standards & counseling for at-risk students
- ▶ Student activities
- ▶ Student body diversity
- ▶ Copyright infringement policies & penalties
- ▶ Vaccination policies & requirements

Other Required Disclosures, Etc.

- ▶ Completion, graduation, transfer, retention, transfer-out, employment & placement rates
- ▶ 4-Year institutions must provide graduate & professional school info
- ▶ Teacher education program info & pass rates, program accreditation, technology prep, etc.
- ▶ Constitutional Day educational program
- ▶ Voter registration info (if registration in State requires advance registration)
- ▶ Gainful Employment

Gainful Employment Disclosures & Reporting (79 FR 63890)

- ▶ Institutions with GE programs must:
 - ▶ Use GE Disclosure Template annually
 - ▶ Certify GE program meets debt-to-earnings measures
 - ▶ Include enrollment, student debt, job placement rates, licensure requirements, and other info
 - ▶ Provide direct distribution of disclosures to prospective students
 - ▶ Prominently display info on program website & in promotional materials
 - ▶ Report data to U.S. Dept. of Ed.

Required Reports & Deadlines

- ▶ Jan 31 - Report foreign sources & gifts for July 1 - Dec 31
- ▶ July 1 - Completion, graduation & transfer-out rates for athletes report
- ▶ July 31 - Report foreign sources & gifts for Jan 1 - Jun 30
- ▶ Sept 17 - Constitution Day educational program
- ▶ Oct 1 - GE data report; Security report, Fire safety report, Annual disclosures to students re: fire safety, campus security, EADA, and general disclosures to students/employees
- ▶ Oct 15 - EADA report

General Resources

- ▶ FSA Assessments
 - ▶ Consumer Information
<http://www.ifap.ed.gov/qaassessments/consumerinformation.html>
 - ▶ Consumer Information Disclosures At-A-Glance
<http://www.ifap.ed.gov/qaassessments/consumerinformation.html>
- ▶ 2017-18 FSA Handbook
 - ▶ Vol. 2 School Eligibility & Operations - Chs. 6-8
 - ▶ Appendix F - Institutional Reporting and Disclosure Requirements for FSA Programs


