Student Consumer Information Requirements

LASFAA CONFERENCE

October 28, 2010
Reauthorization – HEOA 2008

- HEOA reauthorized the Higher Education Act of 1965 and established new institution-based disclosure requirements
- Enacted August 14, 2008
- Public Law 110-315
- Dear Colleague Letter GEN-08-12

Negotiated Rulemaking

- Non-loan disclosure issues negotiated Spring 2009
  – Campus safety
  – Peer-to-peer file sharing
  – Educational outcomes information
- NPRM published August 21, 2009
- Final rule published October 29, 2009
- Final rules went into effect July 1, 2010
Student Consumer Information Requirements

Campus Safety Disclosures

Peer-to-Peer File Sharing

Educational Outcomes

Textbook info. Disclosures

Additional Disclosures
Campus Safety Disclosures

➤ Fire Safety

• Components:
  1. Fire statistics
  2. Annual fire safety report (AFSR)
  3. Fire log
• Required of institutions that maintain an on-campus student housing facility
• Effective on enactment

Fire Statistics

• Required statistics to be collected for each on-campus student housing facility:
  – Number and cause of each fire
  – Number of persons with injuries related to a fire that resulted in treatment at a medical facility
  – Number of deaths related to a fire
  – Value of property damage
• Must cover the three most recent calendar years
• Included in the annual safety report and reported to the Secretary

Annual Fire Safety Report

• First report due by October 1, 2010
• Report must include:
  – Fire statistics
  – Description of each on-campus student housing facility fire safety system
  – Number of fire drills held during the previous calendar year
  – Policies or rules on portable electrical appliances, smoking, and open flames in a student housing facility
  – Procedures for student housing evacuation
  – Policies for fire safety education and training programs for students, faculty, and staff
– A list of the titles of each person or organization to which individuals should report that a fire has occurred
– Plans for future improvements in fire safety, if determined necessary by the institution

**Fire Log**
- Must be written and easily understood
- Includes all fires in on-campus student housing Facilities
- Fires recorded by date **reported**
- Flexible format, but must include the **nature, date, time, and general location**
- Specifications for maintenance of the log
- Annual report to the campus community on fires recorded in the log

➢ **Missing Student Notification**
- Statement of **policy and procedures** in the Annual Security Report (ASR)
  – Starting 10/1/2010
- Required of institutions that maintain an on-campus student housing facility
- Effective on enactment
- Required elements:
  – List of titles of the persons or organizations to which individuals should report that a student has been missing for 24 hours
  – Requires that any missing student report must be referred immediately to the institution’s police or campus security department
    • Or, in the absence of an institutional police or campus security department, to the local law enforcement agency that has jurisdiction in the area
  – Option to register a **confidential** contact person to be notified within 24 hours of the determination that the student is missing
– Advise students that their contact information will be registered confidentially
  • Information accessible only to authorized campus officials
  • May not be disclosed, except to law enforcement personnel in furtherance of a missing person investigation
– Advises students under 18 who are not emancipated that their parent or guardian must be notified within 24 hours of the determination that the student is missing
– Advises all students that the local law enforcement will be notified within 24 hours of the determination that the student is missing

➢ Emergency Notification

• Statement of policy on emergency response and evacuation procedures in the ASR
  – Starting 10/2010
• Required of all Title IV participating institutions
• Effective on enactment
• Required elements
  – Procedures to immediately notify the campus community upon the confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on campus
  – Statement that institution will, without delay, and taking into account the safety of the community, determine content of the notification
    • Must initiate notification system, unless issuing notification will compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency
– A description of the process the institution will use to:
  • **Confirm** that there is a significant emergency
  • Determine **who** to notify
  • Determine the **content** of the notification
  • **Initiate** the notification system
– List of **titles of persons/organizations** responsible for carrying out these actions
– Procedures for **disseminating** emergency information to the larger community
  • The institution’s **procedures to test** the emergency response and evacuation procedures **on at least an annual basis**
  • Tests
  • **Announced or unannounced**
  • **Publicized** in conjunction with at least one test per calendar year
  • **Documented** (description of the exercise, the date, time, and whether it was announced or unannounced)

➢ **Hate Crime Reporting**

  • Additional crimes that an IHE must report as Hate Crimes:
    – Simple assault
    – Larceny-theft (except motor vehicle theft)
    – Intimidation
    – Destruction/Damage/Vandalism of Property
  • Effective on enactment
  • **Handbook for Campus Crime Reporting**
    – Currently being revised
    – Will include all campus safety topics
    – Provides contact information for questions
      o Help Desk #: 1-800-435-5985
      o Help Desk email: campussecurityhelp@westat.com
  • Reminder – IHEs must comply with 34 CFR part 86 (Drug and Alcohol Abuse Prevention)
Peer-to-Peer File Sharing

Institutions must make a disclosure to prospective and enrolled students that includes:

- Explicit statement that unauthorized distribution of copyrighted material may subject student to civil and criminal liabilities
- Description of the institution’s policies on unauthorized P2P file sharing, including disciplinary actions
- Disclosure must also include:
  - Summary of penalties for violation of Federal copyright laws
  - ED will develop a list of the civil and criminal penalties for violations
    - List to be included in FSA handbook
- Program Participation Agreement (PPA)
  - Institution must agree that it has developed and implemented written plans to effectively combat the unauthorized distribution of copyrighted materials by users of the network
    - Without unduly interfering with the educational and research use of the network
- The written plan must include:
  - 1+ technology-based deterrents
  - Mechanisms for education of community
  - Institutional policies and sanctions for violations
  - Procedures for handling violations
    - Including disciplinary actions
  - Procedures to periodically review effectiveness of the plan
- No particular technology measures required
- Institution must also certify that it will, in consultation with the designated officer:
  - Periodically review the legal alternatives for downloading or otherwise acquiring copyrighted material
  - Share results of review with students
  - Offer legal alternatives for downloading (to the extent practicable)
Educational Outcomes

- **Placement Information**
  - Required disclosures:
    - Placement and types of employment obtained by graduates of the institution’s degree or certificate programs
    - Types of graduate and professional education in which graduates of the institution’s 4-year degree programs enrolled
  - IHEs may use various sources of information to gather this information
    - If calculated, rates must be disclosed
  - For both information and rates, IHE must disclose the source of the information, the time frame, and the methodology
  - Effective on enactment

- **Retention Rates**
  - IHEs must report its retention rates of certificate or degree-seeking, first-time full-time undergraduates entering the institution
  - Effective on enactment

- **Completion & Graduation Rates**
  - Completion and graduation rates must be disaggregated by:
    - Gender
    - Major racial/ethnic subgroups
    - Recipients of Federal Pell Grant, FFEL/DL
  - Other than unsubsidized Stafford loan
    - Recipients of neither Pell Grant nor FFEL/DL
  - Other than unsubsidized Stafford loan
  - Not required if number would not yield statistically reliable information or would reveal personally identifiable information
  - Effective on enactment
ISBN Information in Course Schedules

• Institutions must disclose, on the institution’s Internet course schedule and in a manner of the institution’s choosing, the ISBN and retail price information of required and recommended college textbooks and supplemental materials for each course listed in the institution’s course schedule

• Exception #1:
  – If the ISBN number is not available for a college textbook or supplemental material, then the institution must include in the Internet course schedule the:
    o Author
    o Title
    o Publisher
    o Copyright date

• Exception #2:
  – If the institution determines that the disclosure of the information is not practicable for a college textbook or supplemental material, then the institution must indicate TBD instead of the information

• Additionally, an IHE must include a notice on the institution’s written course schedule that the textbook information is available on the institution’s Internet course schedule and the Internet address for the schedule

Information for College Bookstores

• Institution must give its bookstore:
  – The course schedule for the subsequent academic period
  – For each course/class for the following academic period:
    o The ISBN and retail price (or alternatives discussed above) for each textbook/supplemental material required or recommended for the class
    o The number of students enrolled
    o The maximum student enrollment
• While not required by the HEOA, IHEs are encouraged to disseminate information to students about:
  – Programs for renting or purchasing used textbooks
  – Guaranteed buy-back programs
  – Alternative content delivery programs
  – Other cost-saving strategies
Any plans by the institution for improving the academic program of the institution

Student body diversity at the institution, including information on the % of enrolled, full-time students who:
- Are male
- Are female
- Receive a Pell
- Self-identify as being a member of a major racial/ethnic group

Institutional policies regarding vaccines

Services and facilities for students with intellectual disabilities

Terms and conditions under which students receive Direct and Perkins loans

Transfer of credit policies

Net price calculator
Resources and Acknowledgements

Student Financial Aid Handbook – Volume 2, Chapter 6

Information for Financial Aid Professionals (IFAP)

National Student Loan Program – Links to:
Consumer Education Responsibilities for Schools, Checklists, FSA Handbooks, etc.
http://www.nslp.org/vnews/display.v/SEC/Program%20Rules%20%26%20Resou-
nces

FinAid.Org – Award Letter (and other) Requirements
http://www.finaid.org/educators/awardletterrequirements.phtml

Example: University at Albany – Right to Know
http://www.albany.edu/ir/rtk/

Example: Houston Baptist University – Consumer Information
http://www.hbu.edu/hbu/Consumer_Information.asp