

**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
- <http://www.ifap.ed.gov/dpcletters/GEN0812FP0810.html>

## 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
  - <http://www.regulations.gov/search/Regs/home.html#documentDetail?R=0900006480a4d8d9>
- **Final rules went into effect July 1, 2010**

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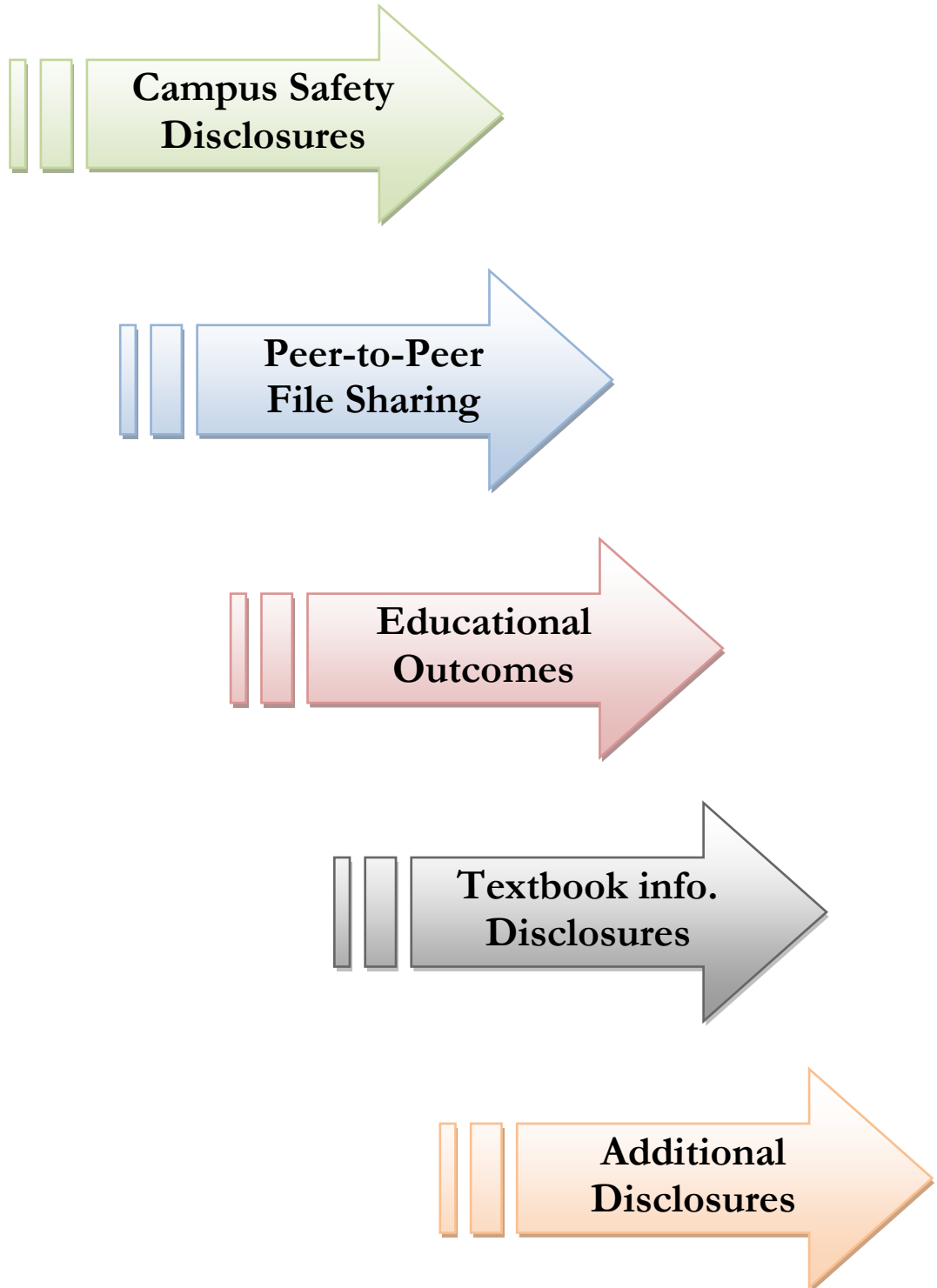
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# Student Consumer Information Requirements



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# 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
    - Help Desk #: 1-800-435-5985
    - Help Desk email:  
campussecurithelp@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

## Textbook Information Disclosures

### ➤ 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:
    - Author
    - Title
    - Publisher
    - 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:
    - The **ISBN and retail price** (or alternatives discussed above) for each textbook/supplemental material required or recommended for the class
    - The **number of students enrolled**
    - 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

## Additional Disclosures

- 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

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## ***Resources and Acknowledgements***

Student Financial Aid Handbook – Volume 2, Chapter 6

<http://www.ifap.ed.gov/fsahandbook/0910FSAHbkVol2.html>

Information for Financial Aid Professionals (IFAP)

<http://www.ifap.ed.gov/qahome/qaassessments/consumerinformation.html>

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%20Resources>

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](http://www.hbu.edu/hbu/Consumer_Information.asp)