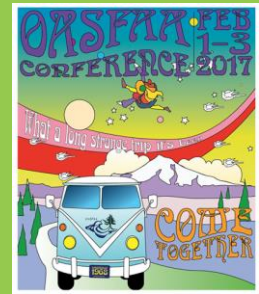


Consumer Disclosure Requirements



Kim Wells | February 2017
U.S. Department of Education
OASFAA Conference

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Topics

- Consumer Information
- Clery Act Annual Security Report
- Drug Free Schools and Communities Act

Consumer Information



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Consumer Information Resources

- FSA Assessments
 - Consumer Information
 - <http://www.ifap.ed.gov/qahome/qaassessments/consumerinformation.html>
 - Consumer Information Disclosures At-A-Glance
 - <http://www.ifap.ed.gov/qahome/qaassessments/consumerinformation.html>
- *FSA Handbook*, Volume 2, Chapters 6-8
- Program Participation Agreement

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Consumer Information Resources

- Regulations – 34 CFR § 668, Subpart D
- Dear Colleague Letter GEN-08-12 (pages 95-102)
 - <http://www.ifap.ed.gov/dpcletters/GEN0812FP0810.html>
- FERPA Regulations – 34 CFR § 99
- National Postsecondary Education Cooperative
 - <http://nces.ed.gov/pubs2010/2010831rev.pdf>
- FSA’s E-Training website
 - <http://fsatraining.info/>

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FEDERAL STUDENT AID

Quality Assurance Program

Consumer Information

This assessment describes the requirements for the consumer information that a school must provide to students, the Department, and others.

Review the Consumer Information Disclosures at a Glance document that provides a summary of school disclosure requirements.

If you identify areas requiring a corrective action, we recommend that you complete an [Action Plan](#).

Activity Bar:

- [Consumer Information Activity 1: Institutional and Financial Assistance Information for Students](#)
- [Consumer Information Activity 2: Drug & Alcohol Prevention](#)
- [Consumer Information Activity 3: Consumer Information for Student Athletes](#)
- [Consumer Information Activity 4: Student Right-to-Know Act](#)
- [Consumer Information Activity 5: Clergy/Campus Security Act](#)
- [Consumer Information Activity 6: FERPA](#)
- [Consumer Information Activity 7: Safeguarding Customer Information](#)
- [Consumer Information Activity 8: Fire Safety Reports and Student Housing](#)
- [Consumer Information Activity 9: Misrepresentation](#)
- [Consumer Information Activity 10: Loan Disclosures](#)
- [Consumer Information Activity 11: Gainful Employment Disclosures](#)

Additional Links: [2013-14 FSA Handbook, School Eligibility & Operations, Chapter 6](#); [2013-14 FSA Handbook, School Eligibility & Operations, Chapter 7](#); [2013-14 FSA Handbook, School Eligibility & Operations, Chapter 8](#); [Handbook for Campus Crime Reporting](#)

Please note the regulatory citations are referenced in the first column of the assessment. To link to any of the regulatory references, click on the link in the regulatory link column and scroll down to the applicable section.

Consumer Information	Regulatory Link(s)	Activity
Method of Disclosure: 668.41(b)(c); 668.44	34 CFR 86	
Financial Assistance Information: 668.42	34 CFR 99	
Institutional Information: 668.43	34 CFR 99.31	
<ul style="list-style-type: none"> Required Information about the School 668.43 Net Price Calculator DCL GEN 08-12; Net Price Calculator Vaccination Policy DCL GEN 08-12; 20 U.S.C. 1092(a)(1) Copyright Information 668.43(a)(10) 	34 CFR 99.36	Consumer Information Activity 1: Institutional and Financial
Other Institutional Information: DCL GEN 08-12	34 CFR 601.2 34 CFR 601.10	

- Home
- FSA Assessments
- Students
- Schools
 - A Guide to Creating a Policies and Procedures Manual Automation
 - Consumer Information
 - Default Prevention & Management
 - Fiscal Management
 - Institutional Eligibility
 - Return of Title IV Funds
- Campus-Based Programs
- Innovation

General Disclosure Requirements

- With limited exceptions, most information can be disclosed via internet or intranet websites that are accessible to individuals to whom the information must be disclosed
- Information generally must be made available to enrolled and prospective students



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Annual Disclosure Requirements

- Must distribute an annual notice to enrolled students of availability of required information
 - List and briefly describe available information
 - Describe how to obtain information
 - Include exact web address
 - Include statement that paper copy will be provided upon request
- Financial aid and institutional information
- Information required to be disclosed under Family Education Rights and Privacy Act (FERPA)

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Annual FERPA Notification

- Postsecondary schools must annually notify students in attendance of their rights under FERPA, including their right to
 - Inspect and review education records
 - Request amendment of education records
 - Consent to disclosure of personally identifiable information, with certain exceptions
 - File a complaint with ED
- FERPA Resource
 - Family Policy Compliance Office (FPCO)
 - www.ed.gov/fpc

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Student Financial Aid Information

- Schools must make available to students information about
 - All financial student assistance programs available to students who enroll at school
 - Terms and conditions of Title IV, HEA loans
 - Criteria for selecting recipients and for determining award amount

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Student Financial Aid Information

- Schools must make available to students information about
 - Eligibility requirements and procedures for applying for aid
 - Methods and frequency of disbursements of aid
 - Rights and responsibilities of students receiving Title IV assistance
 - Satisfactory academic progress requirements

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Student Financial Aid Information

- Schools must make available to students information about
 - Loan terms including sample repayment schedule and necessity for repaying loan
 - Statement about enrolling in study abroad and its impact on applying for financial aid
 - Exit counseling information the school provides and collects
 - Student loan information published by ED

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Cost of Attendance

- Schools must make available information about cost of attending school including
 - Tuition and fees
 - Books and supplies
 - Room and board
 - Transportation
 - Additional costs



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R2T4 and Refund Disclosures

- Schools must make available information about
 - Any refund policies applicable to the school
 - Requirements and procedures for officially withdrawing from the school
 - Summary of R2T4 requirements
 - See page 5-116 of 2015-16 *FSA Handbook*

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Academic Disclosures

- Schools must make available information about
 - Academic programs at institution
 - Names of accrediting agencies and governmental bodies that approve, accredit or license the school
 - Instructional, laboratory, and other physical plant facilities that relate to academic program
 - Faculty and other instructional personnel
 - Any plans by school for improving academic program (upon determination by school that such plan exists)

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Retention Rate

- Schools must report retention rates of certificate or degree-seeking, first-time full-time undergraduates entering institution
- Retention rate is
 - A measure of the rate at which students persist in their educational program at an institution, expressed as a percentage

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Placement Rates



- Required disclosures
 - Placement and types of employment obtained by graduates of institution's degree or certificate programs
- Include any placement rates calculated by institution
- Identify source of information provided, including timeframes and methodology

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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

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Education Loans Code of Conduct

- Title IV Loan Code of Conduct required for all schools participating in Direct Loans
 - Must publish code of conduct prominently on institution's website
 - Must administer and enforce such code
 - Must require that all of institution's officers, employees, and agents with responsibilities with respect to such loans be annually informed of provisions of code of conduct
- See 601.21 for requirements

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Private Education Loans Disclosures

- Must be distinct from information related to Title IV loans
- Disclosures must include
 - Any information required under Truth in Lending Act
 - Notice that students 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

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Additional Disclosures

- Vaccination policies
- Missing student notification procedures for schools with on-campus student housing facilities
- Special requirements for some schools with athletic programs
 - Co-educational schools with intercollegiate athletic programs
 - Schools that enroll students who receive athletically-related student aid

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Textbook Information for Students

- For each course listed in school's online course schedule, must disclose
 - International Standard Book Number
 - Retail price for each required or recommended textbook
 - Indication that required information is unavailable if it is yet to be determined with designation "to be determined"
- Include notice on written course schedule that textbook information is on internet course schedule, and include web address

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Peer-to-Peer File Sharing and Copyrighted Materials

- PPA requires that schools have developed and implemented written plans to effectively combat unauthorized distribution of copyrighted materials including peer-to-peer file sharing
 - Applies to all users of institution's network without interfering with educational and research use of network

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Peer-to-Peer Disclosures

- Schools must disclose to students
 - Explicit statement that unauthorized distribution of copyrighted material may subject student to civil and criminal liabilities
 - Description of the institution's policies on unauthorized peer-to-peer file sharing, including disciplinary actions
 - Summary of penalties for violation of federal copyright laws
 - See page 2-113 of 2016-17 *FSA Handbook*

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Campus Security



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Clery Act Basics

- The Clery Act requires all schools to
 - Collect, classify, and count crime reports and crime statistics
 - Publish and actively distribute an annual security report that contains all statistical and policy disclosures
 - Submit crime statistics to ED
 - Issue timely warnings and emergency notifications

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Annual Security Report

- Schools must publish and distribute annual security report (ASR)
 - Must publish ASR by October 1 each year
 - Report must be contained within single document
 - Report must include
 - Three calendar years of campus crime statistics
 - All required current campus safety and security policies and procedures

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Annual Security Report

- Must distribute ASR to all current students and employees
 - Directly by mail, hand delivery, e-mail or by posting on Internet or intranet site that is reasonably accessible to current students and employees
 - If post ASR online must distribute a notice by October 1 each year that explains
 - Report's availability
 - Exact URL
 - Description of contents
 - Statement that paper copy is available upon request

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Annual Security Report

- Must actively notify prospective students and employees about availability of ASR
- Notice must include description of report’s contents and explain how to obtain paper copy
 - Must provide copy of ASR upon request
 - If posted on an internet site notice must also include exact URL where ASR is posted
- For prospective students and employees, information may not be posted on an intranet site

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Violence Against Women Act (VAWA)

- Law changed Clery Act requirements
- GEN-15-15 provides details regarding implementation

Reporting of New Statistical Requirements in the ASR and Online Data Collection

	Calendar Year 2013	Calendar Year 2014	Calendar Year 2015	Calendar Year 2016
ASR issued by October 1, 2014	X			
ASR issued by October 1, 2015	X	X		
ASR issued by October 1, 2016	X	X	X	
ASR issued by October 1, 2017		X	X	X
Data Collection October 2014				
Data Collection October 2015		X		
Data Collection October 2016		X	X	
Data Collection October 2017		X	X	X

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Timely Warning and Emergency Notification

- Include policy statements on both timely warnings and emergency response and notification procedures in ASR
- All policy statements must accurately reflect policies and procedures currently used at institution
- FERPA does not preclude compliance with timely warning provision

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Missing Student Notification

- Include policy statement in ASR that addresses missing student notification for students residing in on-campus student housing
- Include procedures that institution will follow if any of those students is determined to be missing for 24 hours

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Fire Safety Report

- Required of schools that maintain on-campus student housing
 - Four components
 - Publish and distribute annual fire safety report
 - Submit fire statistics to ED
 - Maintain log of reported fires
 - Conduct safety drills



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Fire Safety Report

- Schools must publish annual fire safety report by October 1 each year
- Report must include
 - Fire statistics
 - Current fire safety policies and procedures
- Annual fire safety report and annual security report
 - May be published separately or together
 - If published separately, specify how to access other report in each one

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Campus Security Information Resources

- OPE Campus Security webpage
 - <http://www2.ed.gov/admins/lead/safety/campus.html>
- Handbook for Campus Crime Reporting
 - http://rems.ed.gov/docs/ED_CampusSafetyAndSecurityReportingHandbook.pdf
- FSA Assessments: Consumer Information
 - <http://www.ifap.ed.gov/qahome/qaassessments/consumerinformation.html>

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Campus Security Resources

- OPE Campus Security website
 - <http://www2.ed.gov/admins/lead/safety/campus.html>
- The Handbook for Campus Safety and Security Reporting
- Online tutorial for use after reading Handbook
- Variety of other resources
 - Law
 - Regulations
 - Statistics

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Drug Free Schools and Communities Act



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Drug-Free Schools and Communities Act

- Schools must adopt and implement drug and alcohol abuse education and prevention program (DAAPP)
 - To prevent the unlawful possession, use or distribution of illicit drugs and alcohol by all students and employees on school premises or as part of any of its activities
 - Accessible to any student, employee or officer
- See 34 C.F.R Subpart 86
- Certification of compliance included in signed Program Participation Agreement

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Drug Prevention Program

- Description of
 - legal sanctions for unlawful possession or distribution of illegal drugs and alcohol
 - health risks associated with the use of illicit drugs and abuse of alcohol
 - any drug or alcohol counseling, treatment, rehabilitation or re-entry programs that are available to students and employees
- Clear statement that school will impose disciplinary sanctions on students and employees (consistent with law) for violation of standards of conduct

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Review of Plan Effectiveness

- Schools must review drug prevention plans biennially
 - Determine effectiveness of plan
 - Determine number of drug and alcohol violations and fatalities that occur on campus and are reported to campus officials
 - Ensure disciplinary sanctions are consistently enforced, including number and type of sanctions imposed
- Review report and supporting documents must be maintained by school and made available to Department upon request

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Drug Prevention Program

- Written information must be distributed annually to all employees and to each student taking one or more classes for any kind of academic credit
- Institutions must retain records including annual notification document for three years after fiscal year in which record was created

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Drug-Related Offenses

- At enrollment, schools must provide students with separate notice regarding penalty for state or federal convictions of drug-related offenses while receiving Title IV assistance
- If student loses eligibility for this reason, school must notify student of loss of eligibility and ways to regain eligibility

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Additional Resources

- Complying With the Drug-Free Schools and Campuses Regulations – A Guide for University and College Administrators
 - <http://www.eric.ed.gov/PDFS/ED514322.pdf>
- ED campus safety website
 - <http://www2.ed.gov/admins/lead/safety/campus.html>
 - Includes links to Campus Safety and Security Reporting Handbook and recorded training

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Questions



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ED Contacts

Research and Customer Care Center

1-800-433-7327

fsa.customer.support@ed.gov

Reach FSA 1-855-FSA-4-FAA

Campus-Based Call Center	eZ-Audit
COD	School Eligibility Services Group
CPS/SAIG	Foreign Schools Participation Division
NSLDS	Research and Customer Care Center
G5	Nelnet Total & Permanent Disability

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Training Feedback

To ensure quality training we ask all participants to please complete an online session evaluation

- Go to <https://www.surveymonkey.com/r/KimberlyWells>
- Additional feedback about training can be directed to **joann.borel@ed.gov**

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