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# The Higher Education Act: Overview and Updates

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# Agenda



- HEOA of 2008 Overview
- **New Reporting Requirements**
- Upcoming Effective Dates of Selected Provisions
- Opportunities for Input into Implementation
- Resources and References



# HEA 2008 Overview



- Not just Financial Aid, although that's a big part of it
- Requirements:
  - For Colleges and Universities
  - For the Federal government
- Opportunities
  - New Programs
  - Increased funding for current programs
  - Increased aid available for students



# Key Items by Section



- Title I: General Provisions
  - ❑ Develop Federal Financial Aid Websites
  - ❑ Publish data on College Affordability, Tuition Increase Rates and standard information on all participating institutions
  - ❑ Publish institutional Net Price and post Net Price calculator on website
  - ❑ Extending FFEL aid programs to foreign clinical education programs
  - ❑ **Biennial review of institutional drug and alcohol abuse prevention program**



# Key Items by Section



- Title I: General Provisions
  - Textbook requirements – no price difference on unbundled texts/workbooks; publishers must provide faculty with information on prices, revisions, and alternate formats; publish ISBN and retail price of texts along with course schedules
  - In-state tuition mandate for military
  - Sunshine provisions on private lender relationships



# Key Items by Section



- Title II: Teacher Quality Enhancement
  - Increased funding for teacher preparation programs
  - Grants to improve teacher preparation programs to deal with
    - LEA students
    - Technology
    - Science and research
  - Increased funding for non-traditional teachers of mathematics and science



# Key Items by Section



- Title III: Institutional Aid
  - Grant programs related to colleges and universities that support the following student populations
    - Native American and tribally controlled
    - Historically Black C/Us and programs
    - Asian American and Pacific Islander populations
    - Latin-American programs
    - LEA and LEP programs



# Key Items by Section



- Title IV: Student Assistance, Part A Grants
  - ❑ Expansion of Pell Grant programs and increases to individual award levels
  - ❑ Reauthorization of and modifications to TRIO programs
  - ❑ Reauthorization, modification and expansion of GEARUP programs
  - ❑ Changes to Academic Competitiveness Grants program





# Key Items by Section



- Title IV: Student Assistance, Part B FFEL
  - ❑ **New disclosure requirements for lenders**
  - ❑ Defines illegal inducement for guaranty agencies and lenders
  - ❑ Clarifications on deferments, service forgiveness and disability discharges
  - ❑ Requires annual audit of “school as lender” institutions
  - ❑ Changes to calculation of cohort default rate



# Key Items by Section



- Title IV: Student Assistance, Part C Work Study
  - Expands qualified work to include civic education, other civic activities and off campus community service in some circumstances
  - Allows flexibility for payments to students in disaster areas



# Key Items by Section



- Title IV: Student Assistance, Parts D and E Loan Programs
  - ❑ Clarifies serving in Congress is not a qualifying public service for loan forgiveness
  - ❑ Requires Secretary to implement identity fraud protections on billing statements
  - ❑ Prevents interest accrual for active duty military
  - ❑ Defines processes for collection or forgiveness of Perkins loans
  - ❑ Increases Perkins loan limits



# Key Items by Section



- Title IV: Student Assistance, Parts F Needs Analysis
  - Changes in needs analysis calculations related to
    - Removal of on-campus military housing allowances
    - GI benefits not to be considered as income or resource
    - Permits discretion to make adjustments for family nursing home expenses
    - Broadens definition of Independent Students, including emancipated minors



# Key Items by Section



- Title IV: Parts G General Provisions
  - Provisions NOT related to financial aid
    - Drug Provisions – allows reinstatement of aid eligibility and adds requirement for institutions to notify students of the aid penalties associated with drug convictions
    - Amends federal student aid eligibility requirements for students with Intellectual Disabilities
    - Requires readmission, without reapplication, of most discharged military personnel
    - Requires institutions to have and disclose policies related to transfer of academic credit



# Key Items by Section



- Title IV: Parts G General Provisions
  - Provisions NOT related to financial aid
    - Requires institutions to have plans to combat illegal downloading AND to notify students about their plans and policies related to illegal downloading
    - Adds new crimes to the list of reporting requirements under the Cleary Act
    - Requires publication of a Fire Safety Report by institutions that maintain on-campus student housing



# Key Items by Section



- **Title IV: Parts G General Provisions**
  - Provisions NOT related to financial aid
    - Requires institutions with on-campus housing to establish a missing student notification policy which must include notification to students under 18 that parents will be notified after 24 hours about students reported missing
    - Results of on-campus disciplinary actions against an alleged perpetrator of a crime must be provided to the alleged victim if the victim requests it



# Key Items by Section



- Title IV: Parts G General Provisions
  - Provisions NOT related to financial aid
    - Requires all institutions to develop Campus Emergency plans that include procedures to
      - Notify the campus immediately in the event of a dangerous situation
      - Publicize emergency response and evacuation procedures on an annual basis
      - Test emergency response and evacuation procedures





# Key Items by Section



- Title IV: Parts G General Provisions
  - Provisions related to financial aid
    - Development of EZ-FAFSA
    - Creation of a model financial aid offer form
    - Secretary, GAO and IRS to work on simplifying federal awards processes
    - **Requires institutions to develop a Code of Conduct that defines and prohibits Conflicts of Interest related to financial aid -- specifies what MUST be included in the CoC**



# Key Items by Section



- Title V: Hispanic Programs
  - Adds uses of funds to develop articulation agreements, promote financial literacy and develop remedial coursework
  - Authorizes grants to support post-baccalaureate opportunities for Hispanic-Americans



# Key Items by Section



- Title VI: International and Foreign Language Studies/Programs Funding
  - Part A: support of graduate and undergraduate programs; promote international partnerships
  - Part B: supports Centers for International Business Education
  - Part C: supports development of Institutes for International Public Policy and inclusion of the Minority Foreign Service Professional Development Program
  - Part D: federal identification of language areas of national need; programs to support scientific and technology foreign language programs; **reporting requirement for foreign gifts of over \$250,000 to institutions**



# Key Items by Section



- **Title VII:**
  - ❑ Clarification and/or modifications to select graduate education program
  - ❑ Authorizes fund for the Improvement of Postsecondary Education
  - ❑ Provides for programs to support institutions to improve transition and access services to students with disabilities



# Title VIII: Grant Programs



- Project GRAD
- STEM grants to States
- Job skills in high growth industries
- Increased nursing student capacity
- Teach for America
- Cooperative education
- Student Safety and Campus Emergency Management support
- Campus-based digital theft prevention
- Training for Real-time Writers
- University Sustainability Programs
- Increased Veterinary Medicine capacity



# Key Items by Section



- Title IX: Amendments to other Acts
  - Education of the Deaf Act
  - Higher Education Amendments 1992 and 1998: minor changes to small programs
  - Loan repayments for prosecutors, public defenders, civil legal assistance attorneys, and some federal or DC government jobs



# Key Items by Section



- Title X: Lending
  - ❑ Prohibitions related to unfair and deceptive practices by private lenders and Conflicts of Interest
  - ❑ **Increased disclosures for private educational loans**
  - ❑ Requires federal increased oversight
  - ❑ Requires Secretaries of Treasury and Education to develop ways to enhance student financial literacy



# Title XI: Federal Studies



- Foreign Graduate Medical Schools
- Proprietary Institutions of Higher Education
- Impact of Student Loan Debt in Public Service
- Summit on Sustainability
- Nursing student capacity and nursing shortages
- Quality of teaching to students with reading disabilities
- Analysis of Federal Regulations on Institutions of Higher Education
- Study of Costs of Environmental, Health and Safety Standards
- Study on Financial and Compliance Audits of the Federal Student Loan Program
- Endowment Report





# Upcoming Effective Dates



- July 1, 2009
  - In-state tuition for military personnel and families
  - Student assistance program changes: Pell, ACG, FFEL and Direct Programs
  - Required Lender Disclosures to FFEL borrowers
- August 14, 2009
  - Transparency in College Tuition: net price calculator, consumer information, multi-year tuition calculator
  - Report on Results of Disciplinary Proceedings



# Upcoming Effective Dates



- February 14, 2010
  - Required disclosures for **all** lenders, including institutions
  - Lender and Institutional requirements related to preferred lender arrangements
  - Truth in Lending Act provisions
- July 1, 2010
  - Textbook provisions
  - Changes to foreign medical program eligibility



# Opportunities for Input



- Five 'negotiating' committees formed or being formed to address the following areas:
  - Loans – Lender/General Loan Issues
  - Loans – School-based Loan Issues
  - Accreditation
  - Discretionary Grants
  - General and Non-Loan Programmatic Issues
- Committees posting requests for input in Federal Register (example:  
<http://www.ed.gov/about/bdscomm/list/acsfa/edlite-publicinput.html>)



# Resources & References



- Department of Education website dedicated to HEOA:  
<http://www.ed.gov/HEOA>
- DOE “Dear Colleague Letter” with summary  
<http://ifap.ed.gov/dpcletters/GEN0812FP0810.html>
- NAFSAA summary  
<http://www.nasfaa.org/publications/2008/heasummary.html>
- Summary of information for bookstores  
<http://www.cacsonline.org/files/public/sec112brochure.pdf>
- NACUA resources  
<http://www.nacua.org/meetings/VirtualSeminars/october2008/resources.html>
- ACE summary  
[http://www.acenet.edu/AM/Template.cfm?Section=Government\\_Relations\\_and\\_Public\\_Policy&Template=/CM/ContentDisplay.cfm&ContentID=29218](http://www.acenet.edu/AM/Template.cfm?Section=Government_Relations_and_Public_Policy&Template=/CM/ContentDisplay.cfm&ContentID=29218)
- Summary of disability sections prepared by the Council for Exceptional Children  
<http://www.cec.sped.org/AM/Template.cfm?Section=Home&TEMPLATE=/CM/ContentDisplay.cfm&CONTENTID=10490>



# Contact Information



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