Implementing the Higher Education Opportunity Act – A Checklist for Business Officers

Summary of New Requirements	Federal Compliance Date	References	Departments Impacted
COLLEGE COST AND MISCELLANEOUS PROVISIONS			
College Costs ☐ Become familiar with provisions for the publication of college cost watch lists and new, standard net price calculation ☐ Prepare to provide net price data for students receiving federal aid, disaggregated by five specified income levels ☐ Develop net price calculator and post on institution's Web site o ED is to develop a net price calculator and make it available to institutions by August 14, 2009 (see http://npc.inovas.net/institution/ for ED's template) o Institutions may choose to use ED's calculator or post their own within two years of when ED makes its calculator available	July 1, 2011 Watch lists to be published by ED by October 2011 institution to post calculator (extended to Oct 2011 due to ED's late provision of template)	HEA Sec. 132 HEOA Sec. 111	Admissions Budget Office Financial Aid Public Information/Relations
Textbook Cost Containment ☐ Educate faculty on textbook information that will be made available by publishers, new requirements ☐ Develop system to collect required information from faculty about textbooks (ISBN, cost) and share with bookstore ☐ Publish information on required textbooks and supplemental materials in course schedules by July 1, 2010	July 1, 2010	HEA Sec. 133 HEOA Sec. 112 No regulations will be promulgated	Finance and Administration Bookstore Provost Registrar
Transfer-of-Credit Policy / Articulation Agreements ☐ Develop or review transfer-of-credit policy, and publish it on the institution's Web site o Include criteria for transfer of credit earned at another institution o ED will provide link to transfer-of-credit policy from College Navigator Web site ☐ Include a listing of institutions with which you have articulation agreements in student disclosures	August 14, 2008	HEA 485(f) HEOA 488(e)	Provost Registrar

Lobbying ☐ Establish procedures and policies to demonstrate that no HEA funds have been used in attempting to influence federal officials, including matters related to grants, contracts, loans, etc. ☐ Note that no federal grant or contract funds can be used for lobbying (Byrd Amendment)	August 14, 2008	HEOA Sec. 119	Government Relations Legal Affairs
Peer-to-Peer File Sharing ☐ Develop a written plan to combat illegal file sharing o Must use one or more technology-based deterrents o Education of students o Procedures to review effectiveness o Dissemination of information on legal alternatives o Offer legal alternatives, if practicable ☐ Include in disclosures to students o Statement re civil and criminal liabilities o Summary of penalties in federal copyright laws o Institution's policies on illegal file sharing, including disciplinary actions	August 14, 2008 (good faith effort) July 1, 2010 (regulations effective)	§668.14(b)(30) §668.43(a)(10)	CIO/Technology Finance and Administration Provost
Servicemembers and Veterans ☐ Members of the armed services, their spouses and dependents, whose domicile or duty station is in a state must be charged in-state rates at public institutions o If student is continuously enrolled, must be allowed to continue to pay in-state rate even if active duty servicemember's duty station changes ☐ Establish procedures and policies to comply with new readmission requirements for veterans	First period of enrollment that begins after July 1, 2009 for in-state tuition August 14, 2008 Readmission July 1, 2010 (regulations effective)	HEA Sec. 135 HEOA Sec. 114 §668.18	Registrar Veterans Affairs Bursar

CAMPUS SECURITY			
Emergency Plans and Alerts ☐ Include statement of policy on emergency response and evacuation procedures in annual campus security report (for October 1, 2010 report) ☐ Establish a procedure for immediate notification of the campus community of a significant campus emergency or dangerous situation o Describe process o Name responsible parties (by title, office) o Notification of larger community o Conduct test of emergency procedures at least annually ☐ Consider special needs of students with disabilities	August 14, 2008 (good faith effort) July 1, 2010 (regulations effective)	§668.46	Public Information Risk Management Public Safety CIO/Technology Disability Services
Fire Safety [Applicable to on-campus student housing only] ☐ Establish system to gather data on fires in on-campus student housing o Fires, injuries, property damage statistics o Maintain publicly available log of such fires o Publish annual fire safety report with fire statistics for three years (when, if available) ☐ Gather information on fire safety systems in each residence hall ☐ Keep records of fire drills ☐ Write policies on fire safety for student residences (or compile existing policies) for inclusion in new annual fire safety report o Policies on fire safety re appliances, smoking, open flames, etc. o Evacuation procedures o Education and training programs o Information on where, whom to report occurrence of a fire o Plans for future fire safety improvements ☐ Determine whether annual fire safety report will be included with campus security report or published separately	August 14, 2008 (good faith effort) July 1, 2010 (regulations effective)	§668.49	Residential Services Public Safety Environmental Health and Safety Risk Management Physical Plant

Missing Persons [Applicable to on-campus student housing only] ☐ Set up database and procedures to give students living in on-campus housing the opportunity to name a confidential contact ☐ Develop policies and procedures addressing missing students o Specify where, to whom reports of suspected missing students should be made o How institution will handle such reports o Who will be notified if student is determined to have been missing for more than 24 hours ☐ Include missing student policy statements in annual security report for October 1, 2010	August 14, 2008 (good faith effort) July 1, 2010 (regulations effective)	§668.46(h)	Public Safety Residential Services Risk Management Student Affairs
Campus Disciplinary Proceedings ☐ Establish policy to disclose results of campus disciplinary proceedings to victims of crime of violence or non-forcible sex offenses, upon written request	August 14, 2009		Student Affairs General Counsel
Drugs and Alcohol ☐ Gather data to be added to the next biennial drug and alcohol review o Number of drug and alcohol-related violations and fatalities on campus or as part of institutional activities o Number of sanctions imposed by institution as a result ☐ Assure that campus officials responsible for required disclosures to students are aware of new requirements including a written notice advising students of the penalties for drug violations	August 14, 2008	HEA Sec. 120 HEOA Sec. 107	Alcohol and Drug Education Public Safety Risk Management
Campus Security Report ☐ Collect hate crime data on four additional categories to be included in campus crime reports ☐ Add policy statement on the law enforcement authority of campus security personnel ☐ Add list o f any law enforcement agencies with which you have mutual aid agreements or MOUs	August 14, 2008 (good faith effort) July 1, 2010 (regulations effective)	§668.41 §668.46	Public Safety Institutional Research Risk Management

STUDENT AID			
Student Loan "Sunshine" Provisions ☐ Determine if institution maintains a preferred lender list for FFEL or private lenders o Ensure list includes required elements o Develop system to gather loan terms, etc from lenders o Review all literature for students/prospective students that discuss student aid, add loan info or URL o Submit annual information to ED ☐ Adopt a code of conduct that meets requirements o Post on web site o Provide annual notice to employees ☐ Ensure that "institution affiliated organizations" (e.g., alumni associations and athletic booster clubs) are also aware of their responsibilities	Aug. 14, 2008 (good faith effort) July 1, 2010 (regulations effective)	§601.10 §601.20 - .21 §601.30 (DL Insts)	University Advancement Athletics Finance and Administration Financial Aid General Counsel
Cohort Default Rates ☐ Consider potential impact of change in the calculation of cohort default rates for FFEL and Direct Loans to include data for three years of repayment rather than two.	New calculations begin for FY2009 but will not be used for sanctions until FY2011	§668.16 §668.181 - 217	Financial Aid Bursar Public Information
Private Education Loans [note: HEOA included amendments to the Truth-in-Lending Act] ☐ *Lender Responsibilities*: Review all institutional and non-Title IV loan programs o Prepare appropriate disclosure forms o Set up procedures to adhere to timing requirements, including three-day disbursement delay o Set up procedures for collection of self-certification form ☐ *Institution Responsibilities*: Decide how self-certification form and financial data will be given to students o Chart flow of information and forms ☐ Determine if preferred lender arrangement(s) exist o Scrutinize any resource loan arrangements	Feb. 14, 2010 (TILA) July 1, 2010 (ED regulations)	HEA Sec. 151-154 HEOA Sec. 120 HEOA Title X Fed. Reserve Reg Z §601.11 -12	Bursar Financial Aid General Counsel

Perkins Loan Program ☐ Note increases to annual loan limits and allowance for books and supplies ☐ Review policies, procedures, and communications with borrowers to ensure compliance with changes to requirements for o Exit counseling o Total and permanent disability discharges o Forbearance requests o Rehabilitation o Occupations eligible for cancellation benefits ☐ Consider transfers of funds among campus-based programs (SEOG, Perkins, FWS) in light of expanded authority to move up to 25 percent of allocation from FWS to Perkins, or from SEOG to FWS	Aug 14, 2008 (good faith effort) July 1, 2010 (regulations effective)	HEOA Sec 461-465 §674 HEOA Sec 494A (transfer of funds)	Financial Aid Bursar Loan Collections Finance and Administration
Federal Work Study Program ☐ Definition of community service expanded to include the field of emergency preparedness and response ☐ Allowance for books and supplies increased from $450 to $600 ☐ Amount of prior award year charges that can be paid with current year FWS funds set at no more than $200 (applies to all Title IV, HEA program funds) ☐ Electronic disbursements: o Institutions may use a "stored-value" card o A student's written authorization is no long required to make EFT payments	Aug 14, 2008 (good faith effort) July 1, 2010 (regulations effective)	HEOA 441(c)(1) HEOA 442(c)(4)(d) §675	Financial Aid Bursar
Grants for Access and Persistence (GAP) ☐ Evaluate the possible impact on and demand for institutional aid as a result of changes made by replacement of Special LEAP by Grants for Access and Persistence (GAP).	July 1, 2010 (regulations effective)	§692	Admissions Financial Aid Finance and Administration

DISCLOSURES			
Consumer Information ☐ Prepare to provide new required disclosures to students o employment and graduate school/professional education of graduates o disaggregated graduation data by ethnicity, receipt of federal aid o changes to campus security report For details and recommendations for disclosures, see http://nces.ed.gov/pubs2010/2010831.pdf.	August 14, 2008 (good faith effort) July 1, 2010 (regulations effective)	§668.41(d) §668.41(e) §668.45	Financial Aid Institutional Research University Police Student Affairs Academic Affairs Alumni Relations Colleges/Departments