



Information Required to Be Disclosed Under the Higher Education Act of 1965: Suggestions for Dissemination



INFORMATION REQUIRED TO BE DISCLOSED UNDER THE HIGHER EDUCATION ACT OF 1965: SUGGESTIONS FOR DISSEMINATION

*Includes a summary of disclosure requirements in the HEA
(as amended by the Higher Education Opportunity Act of 2008)*

Report of the National Postsecondary Education Cooperative



This project has been funded, either wholly or in part, with federal funds from the U.S. Department of Education under Coffey Consulting, LLC's Contract No. ED-04-CO-0044/0001.

The contents of this publication do not necessarily reflect the views or policies of the U.S. Department of Education, nor does mention of trade names, commercial products, or organizations imply endorsement of same by the U.S. Government.

National Postsecondary Education Cooperative

The National Postsecondary Education Cooperative (NPEC) was established by the National Center for Education Statistics (NCES) in 1995 as a voluntary organization that encompasses federal agencies, postsecondary institutions, associations, and other organizations with a major interest in postsecondary education data collection. In 2007, NCES assigned NPEC the specific responsibility for developing a research and development agenda for the Integrated Postsecondary Education Data System (IPEDS). IPEDS is the core postsecondary education data collection program for NCES. NPEC also intermittently produces products for use by postsecondary data providers, users, and institutional representatives.

NPEC publications do not undergo review to ensure their conformity with NCES statistical standards. The information and opinions published in them are the products of NPEC and do not necessarily represent the policy or views of the U.S. Department of Education or NCES.

October 2009

This publication and other NPEC publications may be found at the NCES website:

The NCES World Wide Web Home Page address is <http://nces.ed.gov>.

The NCES World Wide Web Electronic Catalog address is <http://nces.ed.gov/pubsearch>.

The NPEC World Wide Home Page address is <http://nces.ed.gov/npec>.

Suggested Citation

National Postsecondary Education Cooperative. (2009). *Information Required to Be Disclosed Under the Higher Education Act of 1965: Suggestions for Dissemination* (NPEC 2010-831), prepared by Carol Fuller and Carlo Salerno, Coffey Consulting. Washington, DC.

For ordering information on the report, write to

U.S. Department of Education

ED Pubs

P.O. Box 1398

Jessup, MD 20794-1398

Call toll free 1-877-4ED-PUBS; or order online at <http://www.edpubs.org>.

Content Contact:

Nancy Borkow

(202) 502-7311

Nancy.Borkow@ed.gov

Table of Contents

	Page
Introduction.....	1
Organization of the Report.....	2
The Problems Facing Consumers of Disclosed Information	3
Suggestions for Providing Disclosure Information.....	5
Official Sources for Information on Institutional Disclosure Requirements Under the HEA (as Amended by the HEOA).....	9
Additional Resources	12
Appendix A: Summary of HEA Institutional Disclosure Requirements	A-1
Appendix B: Posting HEA Disclosure Information on Institutional Websites.....	B-1
Appendix C: NPEC HEOA Working Group	C-1

[This page left blank intentionally]

Introduction

The Higher Education Act of 1965 (HEA), as amended by the Higher Education Opportunity Act of 2008 (HEOA), includes many disclosure and reporting requirements. A disclosure requirement is information that a postsecondary education institution is required to distribute or make available to another party, such as students or employees. A reporting requirement is information submitted to the U.S. Department of Education or other agencies. Disclosure and reporting requirements sometimes overlap. For certain topics, institutions are required to make information available to students or others and to submit information to the Department of Education.

This paper was developed by consultants to a Working Group of the National Postsecondary Education Cooperative (NPEC). NPEC, established by the National Center for Education Statistics (NCES), is a voluntary organization that includes representatives from federal agencies, postsecondary institutions, associations, and other organizations that have a major interest in postsecondary education data collection. NPEC's mission is to promote the quality, comparability, and utility of postsecondary data and information that support policy development at the federal, state, and institution levels. NPEC commissioned this paper to assist the nation's postsecondary institutions in understanding and complying with HEA disclosure requirements as part of its overarching goal to make postsecondary education data more useful and accessible to consumers of the information.

The purpose of this document is to help colleges and universities successfully identify and meet their obligation to disclose information as required under the HEA (as amended by the HEOA). This document includes suggestions to help institutions make the HEA-required disclosure information more accessible and understandable to consumers and more comparable across institutions.

The information provided about the disclosure requirements does not include all the details that are necessary for full compliance, such as definitions of key terms. This document is not a substitute for professional legal advice. Institutions should review official sources for complete information and guidance on complying with each disclosure requirement.

Organization of the Report

The suggestions for providing disclosure information (*see pages 5–8*) are intended to address the problems (*pages 3–4*) consumers face in finding and accessing information about higher education institutions. The suggestions are intended to increase the comparability of information across institutions in order to improve its accessibility. They are offered as general advice about how to comply with the disclosure requirements in the HEA, not as a structured template. This approach was taken to preserve institutions' flexibility to contextualize and personalize the information they would like to convey to students and others.

The Summary of HEA Institutional Disclosure Requirements in appendix A provides general information about each of the required disclosures in Title I, Title II Teacher Preparation Program Report, and Part G of Title IV of the HEA. The section on official sources for information on institutional disclosure requirements (*see pages 9–11*) provides links to sources for complete information and guidance on compliance.

Appendix B, Posting HEA Disclosure Information on Institutional Websites, summarizes the disclosure requirements and lists the HEA-required disclosures by the required methods of dissemination.

Appendix C is a list of the members of the HEOA Working Group.

The additional resources (*see page 12*) are links to websites that institutions might review for ideas to help improve their public dissemination of information.

The Problems Facing Consumers of Disclosed Information

Prospective and current students, parents, researchers, and policymakers rely heavily on the Internet to obtain information about higher education institutions. However, the information that institutions are required to disclose by the HEA may be difficult to find, compare, and use.

One problem faced by consumers is the inaccessibility of information provided by institutions under the HEA. Institutions may have multiple offices responsible for collecting and distributing information. Decentralized information management means that even within a single institution, processes and standards for information collection, formatting, and dissemination may be varied. In addition, the unit responsible for the information at one institution may be different than the unit responsible for the same information at another institution. For example, graduation rate information is provided by the Registrar's office at some institutions and by the institutional research office at others.

This problem can be compounded by the inconsistency in how the information required under the HEA is provided to consumers by institutions. Some institutions provide the HEA-required information in a separate part of their websites, while others mix the different types of information together in varying combinations. Still other institutions maintain a "portal" web page that provides a single entry point from which HEA-required disclosure information can be obtained through hyperlinked lists. Although these portals help students and others find relevant information, consumers need to know that such a website exists in order to find it.

To compare disclosed information across institutions, users also face a high degree of variation in both the content and structure of institutions' websites. For example, a review of existing consumer information portal pages for postsecondary institutions found a variety of titles, including the following:

- Consumer Information
- Student Consumer Information
- Public Disclosure
- University Disclosure Statements
- Your Right to Know
- Student Right to Know
- Statements, Disclosures
- Federal Compliance
- Federal Disclosure Notices
- Federal Compliance & Student Consumer Information

The degree of nonuniformity in how institutions categorize and label consumer information is further evident in the way that institutions subtitle consumer information pages. The table below

shows subheadings that appear on the consumer information websites for four randomly selected institutions:¹

Examples of Subheadings Used by Postsecondary Education Institutions on Their Consumer Information Portal Pages

Institution #1	Institution #2	Institution #3	Institution #4
Institutional Information	General Institution Information	Academic Programs	Institutional Information
Financial Assistance	Financial Assistance Information	Financial Aid and Scholarship Information	Financial Aid Return of Funds Information
Equity in Athletics Disclosure Act	Athletic Information		
Campus Security	Campus Security Report	Your Safety	Campus Safety Report — Crime Awareness and Security Policy
Drug and Alcohol Abuse, Prevention and Intervention Resources	Drug/Alcohol Abuse Prevention Information		
Policies Related to Alcohol/Drug Abuse	Drug Free Workplace		
Confidentiality of Student Records		Your Right to Privacy	Privacy Rights of Students and Parents –FERPA Regulations

¹ Each institution’s web page was retrieved from the results of a single Google search using the terms “university” and “consumer information.”

Suggestions for Providing Disclosure Information

The suggestions in this paper were developed on the principle of promoting access to information that will allow consumers to make informed decisions about postsecondary education. These consumers include students, parents, counselors, researchers, and legislators, all of whom will benefit from more accessible, comparable information. The suggestions were also developed with attention to the burden that less-resourced institutions may face in meeting common disclosure standards.

The five suggestions on the following pages are offered as advice regarding the best methods for increasing consistency of access to HEA disclosure information to consumers across institutions, while preserving institutions' capacity to demonstrate their diversity and their ability to manage their own information.

A Note About Compliance

Institutions should be aware that posting information on a website is sufficient for meeting those HEA requirements that institutions make certain information “available” to the public or others. A number of the HEA disclosure provisions require that institutions deliver information directly to specified individuals, or that it be provided directly upon request. In those cases, posting information on the institution’s website is **not** sufficient. An institution may choose to post all of the appropriate HEA disclosure information on its website for information management purposes, but it still must ensure that certain information is also provided directly to the specified individuals. (See appendix B for more information.)

Institutions should also ensure that the information disclosed is accurate. The Department of Education may initiate a fine, or a limitation, suspension, or termination of Title IV HEA eligibility for any substantial misrepresentation made by an institution regarding the nature of its educational program, its financial charges, or the employability of its graduates. (Under HEA Sec. 485(f)(13), this provision also specifically applies to misrepresentation of the number, location, or nature of crimes included in campus crime reports.) For more information, see chapter 6 of volume 2 of the Federal Student Aid Handbook at <http://ifap.ed.gov/fsahandbook/attachments/0910FSAHbkVol2Ch6Information.pdf>.

Suggestion 1. Focus both on compliance and communication.

Institutions want to ensure that they are complying fully with each of the disclosure requirements and that they can readily demonstrate their compliance. Students are likely to seek information without concern for (or even knowledge about) federal disclosure requirements. They will be more likely to find information if headings and titles reflect content, rather than federal mandates. For example, a heading such as “Student Consumer Information” will be more meaningful to students and other consumers than “Federal Disclosures.” Similarly, “Graduation Rates” will be more meaningful to students than “Student Right-to-Know Act.”

Suggestion 2. Develop a single web page on the institution’s website that provides hyperlinks to the HEA disclosure information.

We suggest that institutions develop such a portal page and position that page to maximize its accessibility to users. Using a single portal page ensures that institutions preserve their flexibility in collecting and managing their own information, while providing a distinct entrance point on an institution’s website for the HEA-required disclosure information. This page can be developed beginning with the list of disclosures in the notice that institutions are required to provide to current students under HEA Sec. 485(a) (*see appendix B for a list of the disclosures that must be included in the notice*), and then adding the items that are required to be published on an institution’s website and the other disclosures that are web-appropriate (*see appendix B for a list of required disclosures categorized by required method of dissemination*).

Development of this page can also be useful to institutions in ensuring that all the required materials are produced and updated as necessary. The portal page can be a resource for employees who have responsibility for distributing the information, responding to requests for information, or assisting students and others in finding information.

Suggestion 3. Adopt a “3-click” approach.

Another strategy to improve consumer access to the HEA disclosure information is to ensure that such information is placed “shallowly” enough to be found using a minimum amount of searching. We suggest positioning information so that it can be reached by clicking through no more than three web pages (starting from the institution’s home page) and that the information be situated in a university-wide “about” section rather than in a subunit’s web page (e.g., financial aid, Registrar, office of general counsel). The information should be accessible from a section of the website that applies to all the relevant audiences (e.g., information that is required to be available for both current and prospective students should not be placed solely under “Current Students”).

Suggestion 4. Use consumer-friendly labels and language whenever possible, and avoid institutional/technical jargon.

Institutions should provide information to broaden consumers' understanding of more technical information and/or less commonly used terms. We suggest that portal pages embed pop-up or hover-over boxes that spell out commonly used acronyms, provide definitions for terms, and offer one or two sentences of explanatory information. Information should always be clearly labeled with the timeframe for the information (e.g., the calendar years for the security report or the beginning and end dates for graduation rate calculations).

Suggestion 5. Use a common set of content titles.

Institutions should label disclosures by content, rather than the source of the information (e.g., "Refund Policy" rather than "Business Office"). Institutions also should adopt a simple, yet common, set of content titles for the purpose of providing links to information on their HEA disclosures portal page. This will help consumers find and compare information across institutions. We suggest the titles on page 8 (as applicable).

Note: The list on page 8 does not include all the HEA disclosure requirements. Not all of the disclosures are appropriate for publishing on websites. See pages A-1 and A-2 for a comprehensive list of the institutional disclosure requirements in Title I, Title II Teacher Preparation Program Reports, and Part G of Title IV of the HEA.

Suggested Titles for HEA Student Consumer Information on Institutional Web Portal Page

- Notice of Availability of Institutional and Financial Aid Information
- Contact Information for Assistance in Obtaining Institutional or Financial Aid Information
- General Institutional Information
- Privacy of Student Records – Family Educational Rights and Privacy Act (FERPA)
- Facilities and Services for Students with Disabilities
- Student Diversity
- Price of Attendance
- Net Price Calculator
- Refund Policy and Requirements for Withdrawal and Return of Federal Financial Aid
- Textbook Information
- Educational Program
- Instructional Facilities
- Faculty
- Transfer of Credit Policies and Articulation Agreements
- Accreditation, Approval, and Licensure of Institution and Programs
- Copyright Infringement – Policies and Sanctions
- Computer Use and File Sharing
- Student Activities
- Career and Job Placement Services
 - Teacher Preparation Program Report
 - Student Financial Assistance
- Assistance Available From Federal, State, Local, and Institutional Programs
- Federal Student Financial Aid Penalties for Drug Law Violations
- Student Loan Information
 - Initial Loan Counseling for Student Borrowers
 - Exit Counseling for Student Borrowers
 - Institutional Code of Conduct for Education Loans
 - Preferred Lender Lists
 - Preferred Lender Arrangements
- Health and Safety
 - Drug and Alcohol Abuse Prevention Program
 - Vaccination Policies
 - Campus Security Policies, Crime Statistics and Crime Log
 - Fire Safety Policies, Fire Statistics and Fire Log (On-Campus Housing Facilities)
 - Student Outcomes
 - Retention Rate
 - Graduation Rates (Student Right-to-Know Act)
 - Transfer-out Rates (Student Right-to-Know Act)
 - Graduation Rates for Students Receiving Athletically Related Student Aid (Student Right-to-Know Act)
 - Transfer-out Rates for Students Receiving Athletically Related Student Aid (Student Right-to-Know Act)
 - Job Placement for Graduates
 - Job Placement Rates for Graduates
 - Graduate and Professional Education Placement for Graduates
 - Intercollegiate Athletic Program
 - Intercollegiate Athletic Program Participation Rates and Financial Support Data (Equity in Athletics Disclosure Act)
 - Voter Registration

Official Sources for Information on Institutional Disclosure Requirements Under the HEA (as Amended by the HEOA)

Statutory

U.S. Code: Title 20, Education, Chapter 28 – Higher Education Resources and Student Assistance (<http://frwebgate.access.gpo.gov/cgi-bin/usc.cgi?ACTION=BROWSE&TITLE=20USCC28&PDFS=YES>)

U.S. Code: Title 20, Education, Chapter 31 – General Provisions Concerning Education (<http://frwebgate.access.gpo.gov/cgi-bin/usc.cgi?ACTION=BROWSE&TITLE=20USCC31&PDFS=YES>)

Higher Education Opportunity Act of 2008 (Public Law 110-315) (http://frwebgate.access.gpo.gov/cgi-bin/getdoc.cgi?dbname=110_cong_public_laws&docid=f:publ315.110.pdf)

Higher Education Technical Corrections (2009) (Public Law 111-39) (http://frwebgate.access.gpo.gov/cgi-bin/getdoc.cgi?dbname=111_cong_public_laws&docid=f:publ039.111.pdf)

U.S. Department of Education

The Department of Education provides guidance for compliance with the HEA disclosure requirements in three primary ways.

1. Regulations

Current Regulations. Most of the current regulations implementing the HEA disclosure requirements are found in Chapter VI of Title 34 of the U.S. Code of Federal Regulations at http://ecfr.gpoaccess.gov/e/ecfr/ecfrbrowse/Title34/34cfrv3_02.tpl.

Title 34, Parts 86 and 99 are found at http://ecfr.gpoaccess.gov/cgi/t/text/text-idx?sid=bb5dfea4b7a09d0ebbf8dada1a800751&c=ecfr&tpl=/ecfrbrowse/Title34/34cfrv1_02.tpl.

Rulemaking Process. For general information about the Department of Education's rulemaking process for the HEA amendments in the HEOA, see the information at <http://www.ed.gov/policy/highered/leg/hea08/index.html>.

Proposed New Regulations. Proposed new regulations are issued in the *Federal Register*.

Two Notices of Proposed Rule Making (NPRMs) containing proposed rules to implement HEOA amendments to the HEA disclosure requirements have been issued:

- July 28, 2009: Subject: Institutions and Lender Requirements Relating to Education Loans, Student Assistance General Provisions, Federal Perkins Loan Program, Federal Family Education Loan Program, and William D. Ford Federal Direct Loan Program (<http://edocket.access.gpo.gov/2009/pdf/E9-17119.pdf>). This NPRM contains proposed regulations for the loan-related disclosures required under the HEOA amendments to Title I and Title IV of the HEA.
- August 21, 2009: General and Non-Loan Programmatic Issues (<http://edocket.access.gpo.gov/2009/pdf/E9-18550.pdf>). This NPRM contains proposed regulations for non-loan related disclosures required under the HEOA amendments to Title IV of the HEA.

Final Regulations. Final regulations will be published in the *Federal Register*. (Regulations must be published by November 1, 2009, to be effective for the next financial aid award year beginning July 1, 2010.) When they are issued, the final regulations for the HEA amendments in the HEOA will be available at <http://ifap.ed.gov/ifap/byFRType.jsp?type=Final>.

Note: Regulations for the HEOA amendments to the Truth in Lending Act (TILA) were issued August 14, 2009, by the Federal Reserve (<http://edocket.access.gpo.gov/2009/pdf/E9-18548.pdf>). The effective date for the regulations is September 14, 2009. Compliance is optional until February 14, 2010.

2. **Dear Colleague Letters** at <http://ifap.ed.gov/ifap/byYear.jsp?type=dpcletters>. The DCL GEN-08-12 published December 2008 provides information about the HEOA (<http://ifap.ed.gov/dpcletters/GEN0812FP0810.html>).
3. **The *Federal Student Aid Handbook*** at <http://ifap.ed.gov/ifap/byAwardYear.jsp?type=fsahandbook&awardyear=2009-2010>.

HEA disclosure requirements are covered in chapters 3 and 6 of volume 2 of the Handbook, School Eligibility and Operations (<http://ifap.ed.gov/fsahandbook/attachments/0910FSAHbkVol2Ch3GenRequirements.pdf>) and (<http://ifap.ed.gov/fsahandbook/attachments/0910FSAHbkVol2Ch6Information.pdf>).

Other Department of Education Resources

The Office of Postsecondary Education (or OPE) administers the data collection and the Department of Education reporting for

- Campus Security
- Equity in Athletics (intercollegiate athletic program participation rates and financial support data)
- Title II, HEA Teacher Preparation Program Reports

Information for each of these reporting requirements is available under Data Collection and Reporting at <http://www.ed.gov/about/offices/list/ope/policy.html>.

NCES conducts IPEDS. Complete information about the IPEDS surveys and the College Navigator website is available at <http://nces.ed.gov/ipeds>.

Additional Resources

Listed below are links to websites that postsecondary institutions might review for ideas to help improve their public dissemination of information.

Catholic University of America Campus Legal Information Clearinghouse

This web page offers information on higher education legal issues, including the HEA.

Website: <http://counsel.cua.edu/>

Common Data Set (CDS)

The CDS initiative is a collaborative effort among data providers in the higher education community and publishers as represented by the College Board, Peterson's, and *U.S. News & World Report*. Through the development of clear, standard data items and definitions, this collaboration aims to improve the quality and accuracy of information provided to all involved in a student's transition into higher education and to reduce the reporting burden on data providers. *Note:* The CDS is a set of standards and definitions of data items rather than a survey instrument or set of data represented in a database.

Website: <http://www.commondataset.org/>

University and College Accountability Network (U-CAN)

U-CAN is a consumer-information initiative designed by the National Association of Independent Colleges and Universities to give, in a common format, prospective students and their families concise, web-based, consumer-friendly information on the nation's private, nonprofit colleges and universities.

Website: <http://www.ucan-network.org/>

Voluntary System of Accountability (VSA)

The VSA program is a voluntary initiative by public 4-year colleges and universities to supply basic, comparable information on the undergraduate student experience to prospective students, their families, and other stakeholders through a common web report—the College Portrait. The VSA is sponsored by the Association of Public and Land-grant Universities and the American Association of State Colleges and Universities.

Websites: <http://www.collegeportraits.org> and <http://www.voluntarysystem.org>

Appendix A

Summary of HEA Institutional Disclosure Requirements

Contents

Introduction to Summary of HEA Disclosure RequirementsA-3

I. Non-Loan Related Disclosure Requirements

A. Availability of Institutional and Financial Aid Information

- (1) Notice of Availability of Institutional and Financial Aid InformationA-5
- (2) Contact Information for Assistance in Obtaining Institutional or Financial Aid Information A-5

B. Student Financial Assistance

- (3) Student Financial Aid Information*A-5
- (4) Notice of Federal Student Financial Aid Penalties for Drug Law Violations*A-6

C. General Institutional Information

- (5) Privacy of Student Records – Family Educational Rights and Privacy Act (FERPA).....A-7
- (6) Consumer Information on College Navigator Website*A-7
- (7) Facilities and Services Available to Students with Disabilities*A-8
- (8) Student Body Diversity*A-8
- (9) Price of Attendance.....A-9
- (10) Net Price Calculator*A-9
- (11) Refund Policy, Requirements for Withdrawal, and Return of Title IV, HEA Financial AidA-9
- (12) Textbook Information*A-9
- (13) Academic Program (Educational Programs, Instructional Facilities, and Faculty)*A-10
- (14) Transfer of Credit Policies and Articulation Agreements*A-10
- (15) Institutional and Program Accreditation, Approval, or Licensure.....A-11
- (16) Copyright Infringement Policies and Sanctions (Including Computer Use and File Sharing)*A-11

D. Teacher Preparation Program

- (17) Teacher Preparation Program Report*A-11

E. Health and Safety

- (18) Drug and Alcohol Abuse Prevention Program*A-13
- (19) Vaccinations Policies*A-14
- (20) Security Report (Including Emergency Response and Evacuation Procedures) Timely Warnings, and Crime Log*A-14
- (21) Security Report – Missing Person Notification Policy*A-18
- (22) Fire Safety Report and Fire Log*A-19
- (23) Information for Crime Victims About Disciplinary Hearings*A-21

F. Student Outcomes

(24) Retention Rate* A-21

(25) Completion/Graduation and Transfer-out Rates (Including Disaggregated
Completion/Graduation Rates)* A-22

(26) Completion/Graduation and Transfer-out Rates for Students Receiving Athletically
Related Student Aid (Including Disaggregated Completion/Graduation Rates)* A-23

(27) Placement in Employment* A-25

(28) Job Placement Rates A-25

(29) Types of Graduate and Professional Education In Which Institution's Graduates
Enrolled* A-25

G. Intercollegiate Athletic Program

(30) Intercollegiate Athletic Program Participation Rates and Financial Support Data..... A-26

H. Voter Registration

(31) Voter Registration Forms* A-27

II. Disclosure Requirements Relating to Education Loans

(L-1) State Grant Assistance A-28

(L-2) Student Loan Information Published by Dept of Education* A-28

(L-3) National Student Loan Data System* A-28

(L-4) Entrance Counseling for Student Borrowers* A-28

(L-5) Exit Counseling for Student Borrowers* A-29

(L-6) Private Education Loan Disclosures (Including Self-Certification Form)* A-30

(L-7) Code of Conduct for Education Loans* A-31

(L-8) Preferred Lender Lists* A-31

(L-9) Preferred Lender Arrangements* A-32

*New or revised disclosure requirement/s in HEOA and/or proposed regulations (NPRM).

Summary of HEA Institutional Disclosure Requirements

Introduction

The summary provides information about the institutional disclosure requirements in the General Provisions (Title I), Teacher Preparation Program Reports (Title II), and the General Provisions for Title IV (Part G) of the Higher Education Act. It includes the requirements in the HEA prior to the enactment of the HEOA, and the revisions and additions to the disclosure requirements included in the amendments to the HEA in the HEOA and in the Higher Education Technical Corrections Act of 2009. It does not include HEA program-specific requirements.

The disclosures include the information that institutions are required to provide to the general public, current students, current employees, prospective students, prospective employees, families of current or prospective students, or prospective student athletes and their parents, high school counselors, and coaches. Requirements for reporting information to the Department of Education are included only when they overlap with disclosure requirements.

The overview provided for each disclosure requirement is based on statutory language, federal regulations, and guidance from the Department of Education. ***This summary does not provide all the details necessary for full compliance (e.g., it does not include definitions of key terms). It is not a substitute for professional legal advice. Institutions should review official sources for complete information and guidance on complying with each of the disclosure requirements (see pages 9–11 for links to the official sources).***

Information from the NPRM (containing proposed regulations to implement the revisions and additions to the HEA disclosure requirements in the HEOA) that adds to or clarifies the statutory requirements is included in brackets ([...]). ***Note: This information may be changed in the final regulations (see pages 9–11).***

The disclosures are organized in two broad categories:

- I. Non-Loan-Related Disclosure Requirements: Availability of Institutional and Financial Aid Information, Student Financial Assistance, General Institutional Information, Teacher Preparation Program Report, Health and Safety, Student Outcomes, Intercollegiate Athletic Program, and Voter Registration
- II. Disclosure Requirements Relating to Education Loans: HEA disclosure requirements that are related to Title IV, HEA program loans, and private education loans

Organization of Appendix A Information

The information provided for each required disclosure includes:

- Reference Number
- Subject Area
 - references to the Section(s) of the HEA, and, as applicable, Section/s of the HEOA, current requirements in the Code of Federal Regulations, and proposed regulations
 - effective date of HEOA amendments (*see information below*)
 - summary of the requirements for the dissemination of the information
 - summary of the required content of the disclosure
- Applicability—which institutions must provide the information
- How Disclosed—brief description of dissemination requirements (*see also appendix B*)

Effective Date of HEOA Amendments

Most of the HEOA additions or revisions to the HEA disclosure requirements were effective upon enactment, August 14, 2008. Institutions were expected to make a good faith effort to comply immediately. Effective dates other than August 14, 2008, are highlighted in appendix A.

For certain provisions, the Department of Education must take operational steps before institutions can fully comply. Regulations issued by the Department of Education to implement several of the requirements may include specific dates for implementation of particular provisions. (*For more information, see the Dear Colleague Letter [DCL] published December 2008 by the Department of Education at <http://ifap.ed.gov/dpclletters/GEN0812FP0810.html>.*)

SUMMARY OF HEA INSTITUTIONAL DISCLOSURE REQUIREMENTS

Reference Number	Subject Area	Requirement Applies to	Requirement	How Disclosed
1	Notice of Availability of Institutional and Financial Aid Information	All Institutions Participating in Title IV, HEA Student Financial Aid Programs	<p>HEA Sec. 485(a)(1) (20 U.S.C. 1092(a)(1)). Not changed by HEOA 34 CFR 668.41(c)</p> <p>Each institution must annually distribute to all enrolled students a notice of the availability of the information that is required to be made available to students under the Family Educational Rights and Privacy Act of 1974 (FERPA) (<i>see subject #5 for FERPA disclosure requirements</i>), and under HEA Sec. 485(a)(1), Sec. 485(f), Sec. 485(g), and Sec. 485(j). (<i>See appendix B for a list of the information that must be included in the notice.</i>)</p> <p><i>Note:</i> The list required in this notice is not a comprehensive list of HEA disclosure requirements.</p> <p>The notice must list and briefly describe the information and include a statement of the procedures required to obtain the information. For information listed in the notice that is disclosed on an institution's website, the notice must include the exact electronic address and a statement that the institution will provide a paper copy upon request.</p>	Notice is distributed to each enrolled student
2	Contact Information for Assistance in Obtaining Institutional or Financial Aid Information	All Institutions Participating in Title IV, HEA Student Financial Aid Programs	<p>HEA Sec. 485(a)(1)-(2) (20 U.S.C. 1092(a)(1)-(2)). Not changed by HEOA. 34 CFR 668.43, 34 CFR 668.44</p> <p>Each institution must make available to prospective and enrolled students information regarding how and where to contact individuals designated to assist enrolled or prospective students in obtaining the institutional or financial aid information required to be disclosed under HEA Sec. 485(a). (<i>See subject # 1.</i>)</p>	Made available through appropriate publications, mailings, or electronic media
3	Student Financial Aid Information	All Institutions Participating in Title IV, HEA Student Financial Aid Programs	<p>HEOA Sec. 488(a)(1)(B) amended HEA Sec. 485(a)(1) (20 U.S.C. 1092(a)(1)): new HEA Sec. 485(a)(1)(M). HEOA amendment effective August 14, 2008.</p> <p>34 CFR 668.41 (a)-(d), 34 CFR 668.42, 34 CFR 668.43 July 28, 2009 NPRM (revised 34 CFR 668.42)</p> <p>Each institution must make available to prospective and enrolled students information about</p> <ul style="list-style-type: none"> all the need-based and non-need-based federal, state, local, private, and institutional student financial assistance programs available to students who enroll in the institution; terms and conditions of Title IV, HEA loans; 	Made available through appropriate publications, mailings, or electronic media

SUMMARY OF HEA INSTITUTIONAL DISCLOSURE REQUIREMENTS

Reference Number	Subject Area	Requirement Applies to	Requirement	How Disclosed
			<ul style="list-style-type: none"> • criteria for selecting recipients and for determining amount of award; • eligibility requirements and procedures for applying for aid; • methods and frequency of disbursements of aid; • rights and responsibilities of students receiving Title IV, HEA student financial aid, including criteria for continued student eligibility and standards for satisfactory academic progress; • terms of any loan received as part of financial aid package, sample loan repayment schedule, and the necessity for repaying loans; • a statement that enrollment in a program of study abroad approved for credit by the home institution may be considered enrollment in the home institution for purposes of applying for federal student financial aid; • general conditions and terms applicable to employment provided as part of financial aid package; • [the exit counseling information the institution provides and collects]. <p><i>(See also subject L-9 Preferred Lender Arrangement disclosure requirements.)</i></p>	
4	Notice of Federal Student Financial Aid Penalties for Drug Law Violations	All Institutions Participating in Title IV, HEA Student Financial Aid Programs	<p>HEOA Sec. 488(g): amended HEA Sec. 485 (20 U.S.C. 1092): added HEA Sec. 485(k) HEOA amendment effective August 14, 2008</p> <p>34 CFR 668.40</p> <p>Each institution must provide to each student, upon enrollment, a separate, clear, and conspicuous written notice that advises the student that a conviction for any offense, during a period of enrollment for which the student was receiving Title IV, HEA program funds, under any federal or state law involving the possession or sale of illegal drugs will result in the loss of eligibility for any Title IV, HEA grant, loan, or work-study assistance (HEA Sec. 484(r)(1)); (20 U.S.C. 1091(r)(1))</p> <p>Each institution must provide a notice in a timely manner to each student who has lost eligibility for Title IV, HEA assistance as a result of the penalties under HEA Sec. 484(r)(1). The notice must be a separate, clear, and conspicuous written notification of the loss of eligibility and must advise the student of the ways in which the student can regain eligibility under HEA Sec. 484(r)(2); (20 U.S.C. 1091(r)(2)).</p>	<p>Information provided to each student in a separate written notice</p> <p>Information provided to each student in a separate written notice</p>

SUMMARY OF HEA INSTITUTIONAL DISCLOSURE REQUIREMENTS

Reference Number	Subject Area	Requirement Applies to	Requirement	How Disclosed
5	Privacy of Student Records –Family Educational Rights and Privacy Act (FERPA)	Institutions Receiving Funds from Any Dept of Education Program (including student financial aid)	<p>HEA Sec. 485(a)(1) (20 U.S.C. 1092(a)), 20 U.S.C. 1232g. Not changed by HEOA. 34 CFR 668.41(c), 34 CFR Part 99</p> <p>Each institution must annually provide a notice to all enrolled students about</p> <ul style="list-style-type: none"> the right to review their education records, to request amendment of records, to consent to disclosures of personally identifiable information, and to file complaints with the Department of Education; procedures for reviewing education records and requesting amendment of the records; and if applicable, information about the institution's policy regarding disclosures to school officials with a legitimate educational interest in the education records. <p>In order to disclose directory information without prior consent, an institution must provide to students a notice of directory information that includes</p> <ul style="list-style-type: none"> the types of information the institution has designated as directory information; and the student's right to refuse to allow any or all such information about the student to be designated as directory information, and the time period the student has for notifying the institution in writing. <p>For more information: http://www.ed.gov/policy/gen/guid/fpco/ferpa/index.html Model Notification of Rights: http://www.ed.gov/policy/gen/guid/fpco/ferpa/ps-officials.html</p>	Any means reasonably likely to inform students of their rights
6	Consumer Information on College Navigator Website	All Institutions Participating in Title IV, HEA Student Financial Aid Programs	<p>HEOA Sec. 111 amended HEA Title I, Part C: added HEA 132(i)(1)(V) (20 U.S.C. 1015a(i)(1)(V))</p> <p>The Department of Education is required to post 26 items on the College Navigator website for each institution, including a link to the institution's website that provides “in an easily accessible manner”</p> <ul style="list-style-type: none"> student activities offered by the institution; services offered by the institution for individuals with disabilities; career and placement services offered to students during and after enrollment; and policies of the institution related to transfer of credit from other institutions. <p><i>(See also subject # 7 requirements for disclosure of services for students with</i></p>	Made available on the institution's website. The URL for the institution's website is reported to NCES in IPEDS for posting on College Navigator website.

SUMMARY OF HEA INSTITUTIONAL DISCLOSURE REQUIREMENTS

Reference Number	Subject Area	Requirement Applies to	Requirement	How Disclosed
			<p><i>disabilities, and subject # 14 requirements for disclosure of transfer of credit policies.)</i></p> <p><i>Note: The URL for the institution’s website is collected in the IPEDS Institutional Characteristics Survey (IC).</i></p> <p>For more information: http://nces.ed.gov/ipeds http://nces.ed.gov/collegenavigator</p>	
7	Facilities and Services Available to Students with Disabilities	All Institutions Participating in Title IV, HEA Student Financial Aid Programs	<p>HEA Sec. 485(a)(1)-(2) (20 U.S.C. 1092(a)(1)-(2)). Not changed by HEOA. 34 CFR 668.41(a)-(d), 34 CFR 668.43 August 21, 2009 NPRM (revised 34 CFR 668.43, added 34 CFR 668.231)</p> <p>Each institution must make available to prospective and enrolled students information about facilities and services available to students with disabilities, including students with intellectual disabilities (as defined in 34 CFR 668.231).</p> <p><i>(See also subject # 6 for related reporting requirement.)</i></p>	Made available through appropriate publications, mailings, or electronic media
8	Student Body Diversity	All Institutions Participating in Title IV, HEA Student Financial Aid Programs	<p>HEOA Sec. 488(a)(1)(E) amended HEA Sec. 485(a)(1) (20 U.S.C. 1092(a)(1)): added HEA Sec. 485(a)(1)(Q) HEOA amendment effective August 14, 2008</p> <p>Institutions must make available to current and prospective students information about student body diversity, including the percentage of enrolled, full-time students who</p> <ul style="list-style-type: none"> • are male; • are female; • are a self-identified member of a major racial or ethnic group; and • receive a Federal Pell Grant. <p><i>Note: The race/ethnicity and the gender data are collected in the IPEDS Fall Enrollment Survey. Information about Pell Grant recipients is collected for the prior year in the IPEDS Student Financial Aid Survey.</i></p>	Made available through appropriate publications, mailings, or electronic media

SUMMARY OF HEA INSTITUTIONAL DISCLOSURE REQUIREMENTS

Reference Number	Subject Area	Requirement Applies to	Requirement	How Disclosed
9	Price of Attendance	All Institutions Participating in Title IV, HEA Student Financial Aid Programs	HEA Sec. 485(a)(1)-(2) (20 U.S.C. 1092(a)(1)-(2)). Not changed by HEOA. 34 CFR 668.41(a)-(d), 34 CFR 668.43 Each institution must make available to prospective and enrolled students information about the price of attendance, including tuition and fees, books and supplies, room and board, transportation costs, and any additional costs for a program in which the student is enrolled or expresses an interest.	Made available through appropriate publications, mailings, or electronic media
10	Net Price Calculator	All Institutions Participating in Title IV, HEA Student Financial Aid Programs	HEOA Sec. 111 amended HEA Title I, Part C: added HEA Sec. 132(a), Sec. 132(h) (20 U.S.C. 1015a(a), 20 U.S.C. 1015a(h)) Institutions must make available on their websites a net price calculator within 2 years after the Department of Education makes available a template (approximately October 2009). The institution may use the Department template or develop a customized version that must include, at a minimum, the same elements as the Department's version.	Made publicly available on the institution's website by approximately October 2011
11	Refund Policy, Requirements for Withdrawal and Return of Title IV Financial Aid	All Institutions Participating in Title IV, HEA Student Financial Aid Programs	HEA Sec. 485(a)(1)-(2) (20 U.S.C. 1092(a)(1)-(2)). Not changed by HEOA. 34 CFR 668.41(a)-(d), 34 CFR 668.43 Each institution must make available to prospective and enrolled students information about <ul style="list-style-type: none"> • the institution's refund policy; • requirements and procedures for official withdrawal; and • requirements for return of Title IV, HEA grant or loan aid. 	Made available through appropriate publications, mailings, or electronic media
12	Textbook Information Information for Students	Institutions Receiving Any Federal Funds	HEOA Sec. 112 amended HEA Title I, Part C: added HEA Sec. 133 (20 U.S.C. 1015b) HEOA amendment effective July 1, 2010 Each institution must disclose, on the institution's Internet course schedule used for preregistration and registration purposes, the International Standard Book Number (ISBN) and retail price information of required and recommended textbooks and supplemental materials for each course listed, to the extent the disclosure of the information is determined to be "practicable." If the ISBN is not available, the institution must include in the Internet course schedule the author, title, publisher, and copyright date for the textbook or supplemental material, or, if applicable, the designation "To Be Determined." If applicable, the institution must include on the institution's written course schedule	Internet Course Schedule Notice in written course schedule (if applicable)

SUMMARY OF HEA INSTITUTIONAL DISCLOSURE REQUIREMENTS

Reference Number	Subject Area	Requirement Applies to	Requirement	How Disclosed
	Information for College Bookstores		<p>a notice that textbook information is available on the Internet course schedule and the Internet address for the schedule.</p> <p>Upon the request of a college bookstore operated by or affiliated with the institution, the institution must make available as soon as practicable the most accurate information available regarding</p> <ul style="list-style-type: none"> • the institution's course schedule for the subsequent academic period; • the information provided for students (<i>see above</i>) regarding required or recommended textbooks and supplemental materials for each course or class; • the number of students enrolled in each course or class; and • the maximum student enrollment for each course or class. 	Information provided to bookstores upon request
13	Academic Program (Educational Programs, Instructional Facilities, and Faculty)	All Institutions Participating in Title IV, HEA Student Financial Aid Programs	<p>HEOA Sec. 488(a)(1)(A) amended HEA Sec. 485(a)(1)(G) (20 U.S.C. 1092(a)(1)(G)): added HEA Sec. 485(a)(1)(G)(iv). HEOA amendment effective August 14, 2008</p> <p>34 CFR 668.41(a)-(d), 34 CFR 668.43 August 21, 2009 NPRM (revised 34 CFR 668.43)</p> <p>Each institution must make available to prospective and enrolled students information about the academic program of the institution, including</p> <ul style="list-style-type: none"> • current degree programs and other educational and training programs; • instructional, laboratory, and other physical facilities that relate to the academic program; • faculty and other instructional personnel; and • any plans by the institution for improving the academic program. 	Made available through appropriate publications, mailings, or electronic media
14	Transfer of Credit Policies and Articulation Agreements	All Institutions Participating in Title IV, HEA Student Financial Aid Programs	<p>HEOA Sec. 488(g) amended HEA Sec. 485 (20 U.S.C. 1092): added HEA Sec. 485(h) HEOA amendment effective August 14, 2008</p> <p>Each institution must publicly disclose information about the institution's policies regarding the transfer of credit earned at another higher education institution, including, at a minimum</p> <ul style="list-style-type: none"> • any established criteria the institution uses; and • a list of institutions with which the institution has established an articulation agreement. <p><i>(See also subject # 6 for transfer of credit policy reporting requirement.)</i></p>	Publicly disclosed

SUMMARY OF HEA INSTITUTIONAL DISCLOSURE REQUIREMENTS

Reference Number	Subject Area	Requirement Applies to	Requirement	How Disclosed
15	Institutional and Program Accreditation, Approval, or Licensure	All Institutions Participating in Title IV, HEA Student Financial Aid Programs	<p>HEA Sec. 485(a)(1)-(2) (20 U.S.C. 1092(a)(1)-(2)). Not changed by HEOA. 34 CFR 668.41(a)-(d), 34 CFR 668.43</p> <p>Each institution must make available to prospective and enrolled students</p> <ul style="list-style-type: none"> names of associations, agencies, or governmental bodies that accredit, approve, or license the institution and its programs; and procedures for obtaining or reviewing documents describing accreditation, approval, or licensing. 	Made available through appropriate publications, mailings, or electronic media
16	Copyright Infringement Policies and Sanctions (Including Computer Use and File Sharing)	All Institutions Participating in Title IV, HEA Student Financial Aid Programs	<p>HEOA Sec. 488(a)(1)(E) amended HEA Sec. 485(a)(1) (20 U.S.C. 1092(a)(1)): added HEA Sec. 485(a)(1)(P) HEOA amendment effective August 14, 2008</p> <p>August 21, 2009 NPRM (added 34 CFR 668.43(a)(10))</p> <p>Institutions must annually make available to current and prospective students the institution's policies and sanctions related to copyright infringement, including</p> <ul style="list-style-type: none"> a statement that explicitly informs students that unauthorized distribution of copyrighted material, including unauthorized peer-to-peer file sharing, may subject the students to civil and criminal liabilities; a summary of the penalties for violation of federal copyright laws*; and the institution's policies with respect to unauthorized peer-to-peer file sharing, including disciplinary actions taken against students who engage in [illegal downloading or] unauthorized distribution of copyrighted materials using the institution's information technology system. <p>[*The Department of Education will publish in the <i>Federal Student Aid Handbook</i> (see page 10) a summary of the civil and criminal penalties for violation of federal copyright laws.]</p>	Made available through appropriate publications, mailings, or electronic media
17	Teacher Preparation Program Report	Institutions That Prepare Teachers for Initial State Certification or Licensure	<p>HEOA Sec. 201 amended HEA Title II, Part A: new HEA Sec. 205-208 (20 U.S.C. 1022d-1022g). HEOA amendment effective August 14, 2008</p> <p>Each institution must provide a report annually to the state and to the general public. The states submit to the Department of Education, and make available to the public, an annual report containing institutional and state-level information. The Department makes the state reports available to the public.</p>	Provide report to general public

SUMMARY OF HEA INSTITUTIONAL DISCLOSURE REQUIREMENTS

Reference Number	Subject Area	Requirement Applies to	Requirement	How Disclosed
			<p>The institutional reports include</p> <ul style="list-style-type: none"> • goals*– information about whether goals have been met, activities implemented to achieve goals, and steps taken to improve performance in meeting goals; • assurances** – description of activities the institution has implemented to meet assurances; • pass rates and scaled scores for the most recent year for which information is available on assessments used by the state for teacher certification or licensure that have been taken by students who are enrolled in the teacher preparation program and students who have completed the program during the prior 2 years***; • program information – admission criteria; enrollment disaggregated by race, ethnicity, and gender; average number of hours of supervised clinical experience; number of full-time-equivalent faculty and students in the supervised clinical experience; total number of students who have been certified or licensed as teachers, disaggregated by subject and area of certification or licensure; • statement of approval or accreditation of program (if required by the state); • whether the state has designated the program as low-performing; • description of activities that prepare teachers to effectively use technology in instruction and to collect, manage, and analyze data; and • description of activities that prepare teachers to teach effectively students with disabilities and students who have limited English proficiency. 	
			<p>* Goals: The institution must set annual quantifiable goals for increasing the number of prospective teachers trained in teacher shortage areas designated by the Department or by the state education agency.</p>	
			<p>**Assurances: The institution must provide assurances to the Department of Education regarding training related to identified needs of local education agencies or states and the needs of schools, training of special education teachers, training in providing instruction to diverse populations, and training to effectively teach in urban and rural schools, as applicable.</p>	
			<p>***If a program has fewer than 10 scores reported on any assessment during an academic year, the average pass rate and scaled scores shall be provided for a 3-year period.</p>	
			<p>The Department of Education is required to prescribe regulations to ensure the reliability, validity, integrity, and accuracy of the data submitted in institution and state reports.</p>	

SUMMARY OF HEA INSTITUTIONAL DISCLOSURE REQUIREMENTS

Reference Number	Subject Area	Requirement Applies to	Requirement	How Disclosed
19	Vaccinations Policy	All Institutions Participating in Title IV, HEA Student Financial Aid Programs	<p>HEOA Sec. 488(a)(1)(E): amended HEA Sec. 485(a)(1) (20 U.S.C. 1092(a)(1)): added HEA Sec. 485(a)(1)(V) HEOA amendment effective August 14, 2008</p> <p>Institutions must make available to current and prospective students information about institutional policies regarding vaccinations</p>	Made available through appropriate publications, mailings, or electronic media
20	Security Report (Including Emergency Response and Evacuation Procedures), Timely Warnings, and Crime Log	All Institutions Participating in Title IV, HEA Student Financial Aid Programs	<p>HEOA Sec. 488(e)(1)(B)-(D) amended HEA Sec. 485(f) (20 U.S.C. 1092(f)):</p> <ul style="list-style-type: none"> • revised HEA Sec.485(f)(1)(C) • revised HEA Sec. 485(f)(1)(F) • added HEA Sec. 485(f)(1)(J) <p>HEOA amendments effective August 14, 2008</p> <p>34 CFR 668.41(a), 34 CFR 668.41(e), 34 CFR 668.46, 34 CFR Part 668 Subpart D, appendix A.</p> <p>August 21, 2009 NPRM (revised 34 CFR 668.41(a), 34 CFR 668.41(e), 34 CFR 668.46, 34 CFR Part 668 Subpart D, appendix A)</p> <p>Institutions must distribute, by October 1 each year, a security report or a notice of the report to all current students and employees. If the institution distributes the report by posting it on the institution's website, the institution must provide a notice by October 1 that includes a statement of the report's availability, the exact electronic address, a brief description of the report's contents, and a statement that the institution will provide a paper copy upon request.</p> <p>The institution must provide a notice to prospective students and employees that includes a statement of the report's availability, a description of its contents, and an opportunity to request a copy. If the report is posted on a website the notice must include the exact electronic address and a statement that the institution will provide a paper copy of the report upon request.</p> <p>[An institution may combine the publication of the security report and the fire safety report (<i>see subject # 22</i>) if the title of the combined report clearly states that both reports are included. If the security and fire safety reports are published separately, each report must include information about how to access the other report.]</p>	<p>Report or notice of report mailed or delivered to each enrolled student and employee.</p> <p>Prospective students and prospective employees receive notice of report and receive report upon request</p>

SUMMARY OF HEA INSTITUTIONAL DISCLOSURE REQUIREMENTS

Reference Number	Subject Area	Requirement Applies to	Requirement	How Disclosed
			<p>The report must contain information about</p> <ul style="list-style-type: none"> • campus policies regarding procedures for students and others to report criminal actions or other emergencies occurring on campus, including policies regarding the institution's response to such reports; • policies for making timely warning reports (<i>see below</i>); • policies for preparing the annual disclosure of crime statistics; • policies concerning security of and access to campus facilities and security considerations used in the maintenance of campus facilities; • list of the titles of persons or organizations to whom students and employees should report criminal offenses for the purpose of making timely warning reports and statistics disclosures; • statement of whether the institution has policies or procedures regarding confidential crime reporting (for inclusion in statistics), and if so, a description of those policies and procedures; • statement of the law enforcement authority of campus security personnel and their relationship with state and local law enforcement agencies; • policies that encourage accurate and prompt reporting of all crimes to the campus police and appropriate police agencies; • procedures, if any, that encourage pastoral counselors and professional counselors to inform persons they are counseling about procedures for confidential crime reporting (for inclusion in statistics); • type and frequency of programs designed to inform students and employees about campus security procedures and practices and to encourage students and employees to be responsible for their own security and the security of others; • programs designed to inform students and employees about the prevention of crimes; • policy concerning the monitoring and recording through local police agencies of criminal activity in which students engaged at off-campus locations of student organizations officially recognized by the institution; • policy regarding the possession, use, and sale of alcoholic beverages and enforcement of state under-age drinking laws; • policy regarding the possession, use, and sale of illegal drugs and enforcement of federal and state drug laws; • description of drug or alcohol prevention programs as required under HEA Sec. 120 (20 U.S.C. 1011i) (<i>see subject # 18 for more information</i>); • statement advising the campus community where law enforcement agency information provided by a state concerning registered sex offenders may be 	

SUMMARY OF HEA INSTITUTIONAL DISCLOSURE REQUIREMENTS

Reference Number	Subject Area	Requirement Applies to	Requirement	How Disclosed
			<ul style="list-style-type: none"> obtained; and • policy regarding campus sexual assault prevention programs and the procedures to be followed once a sex offense has occurred, including <ul style="list-style-type: none"> – educational programs; – options for and assistance in notifying law enforcement agencies; – available on- and off-campus services for victims; – options regarding changes to a victim's academic and living situation; and – procedures for campus disciplinary action, including sanctions the institution may impose, and a statement that both the accuser and accused are entitled to the same opportunities to have others present during disciplinary proceedings, and both must be informed of the outcome of any disciplinary proceeding (<i>see subject # 23 for related requirement</i>). 	
	Missing Student Notification		<ul style="list-style-type: none"> • [missing student notification policies and procedures]. (<i>See subject # 21 for more information.</i>) 	
	Emergency Response and Evacuation Procedures		<ul style="list-style-type: none"> • policies regarding emergency response and evacuation procedures, including <ul style="list-style-type: none"> – procedures for immediate notification of the campus community; – [a description of the process the institution will use to confirm the emergency or dangerous situation, determine the appropriate segment/s of the campus community to be notified, determine the content of the notification, and initiate the notification system unless issuing the notification would compromise efforts to assist a victim, or to contain, respond to, or otherwise mitigate the emergency]; – a statement that the institution will take the actions described above without delay; – [list of the titles of person/s or organization/s responsible for carrying out the actions described above]; – [the institution's procedures for disseminating emergency information to the larger community]; and – [the institution's procedures to test the emergency response and evacuation procedures on at least an annual basis]. <p>[The emergency response and evacuation information must be included in the institution's annual security report beginning October 1, 2010.]</p>	

SUMMARY OF HEA INSTITUTIONAL DISCLOSURE REQUIREMENTS

Reference Number	Subject Area	Requirement Applies to	Requirement	How Disclosed
			<p>The Department of Education is required to advise institutions on model emergency response policies, procedures, and practices (HEA Sec. 822, added by HEOA Sec. 801).</p> <ul style="list-style-type: none"> • Statistics for the most recent 3 calendar years: <ul style="list-style-type: none"> – Crimes reported to a campus security authority or local police agencies: murder and nonnegligent manslaughter; negligent manslaughter; forcible and nonforcible sex offenses; robbery; aggravated assault; burglary; motor vehicle theft; and arson; – For the crimes listed above and for crimes of larceny-theft, simple assault, intimidation, and destruction, damage, or vandalism of property, and any other crimes reported to a campus security authority or to local police agencies involving bodily injury to any person in which the victim was intentionally selected because of the victim's actual or perceived race, gender, religion, sexual orientation, ethnicity, or disability. These data are to be reported according to category of prejudice; and – Arrests and persons referred for campus disciplinary action, for liquor law violations, drug law violations, and illegal weapons possession. 	
			<p>Institutions are to use the Federal Bureau of Investigation's crime definitions. The statistics are to be reported by the following locations (<i>see resources below for complete information about location definitions</i>):</p> <ul style="list-style-type: none"> • On campus; • In dormitories or other on-campus residential facilities for students; • In or on a noncampus building or property (any building or property owned or controlled by a student organization officially recognized by the institution, or any building or property owned or controlled by the institution that is not within the same reasonably contiguous geographic area of the institution); and • on public property that is within the campus, or immediately adjacent to and accessible from the campus. 	
			<p>The institution is not required to report statistics for crimes reported to a pastoral or professional counselor. The statistics must not identify a victim or person accused of committing a crime.</p>	
			<p>The institution must submit the crime statistics to the Department of Education. The Department is required to make the statistics available to the public.</p>	

SUMMARY OF HEA INSTITUTIONAL DISCLOSURE REQUIREMENTS

Reference Number	Subject Area	Requirement Applies to	Requirement	How Disclosed
	Timely Warning Reports		Institutions must make timely reports to the campus community of crimes considered to be a threat to students and employees that are reported to campus security authorities or to local police agencies. [Institutions are not required to issue a timely warning based on the same circumstances that lead to an emergency notification.]	Report provided to students and employees
	Crime Log		<p>Institutions that maintain a police or security department of any kind must maintain a daily crime log. The log must record, by the date a crime was reported, any crime reported to the campus police or security department that occurred on campus, in or on a non-campus building or property, on public property, or within the patrol jurisdiction of the campus police or the campus security department. The log must include the nature, date, time, and general location of each crime, and the disposition of the complaint if known.</p> <p>An entry to the log, or an addition to an entry, must be made within two business days of the report of the information to campus police or security department, unless the disclosure is prohibited by law or would jeopardize the confidentiality of the victim. Information may be withheld if there is clear and convincing evidence that the release of the information would jeopardize an ongoing criminal investigation or the safety of an individual, cause a suspect to flee or evade detection, or result in the destruction of evidence. Once the adverse effect is no longer likely to occur, the information must be disclosed.</p> <p>The crime log for the most recent 60 days must be open to public inspection during normal business hours. Portions of the log older than 60 days must be available for public inspection within two business days of a request.</p> <p>For more information: Handbook for Campus Crime Reporting (http://www.ed.gov/admins/lead/safety/campus.html) http://www.ed.gov/about/offices/list/ope/policy.html#data</p>	Open for public inspection
21	Security Report – Missing Person Notification Policy	Institutions That Participate in Title IV, HEA Programs and Provide On-Campus Housing	<p>HEOA Sec. 488(g) amended HEA Sec. 485 (20 U.S.C. 1092): added HEA Sec. 485(j) HEOA amendment effective August 14, 2008 August 21, 2009 NPRM (revised 34 CFR 668.41(a), added 34 CFR 668.46(b)(14) and 34 CFR 668.46(h))</p> <p>[Beginning October 1, 2010, an institution that provides any on-campus student housing facility must include in its annual security report (<i>see subject # 20</i>) a</p>	Information included in annual security report (<i>see subject #20</i>)

SUMMARY OF HEA INSTITUTIONAL DISCLOSURE REQUIREMENTS

Reference Number	Subject Area	Requirement Applies to	Requirement	How Disclosed
			statement of policy regarding missing student notification procedures for students who reside in on-campus student housing facilities.]	
			[This statement must] <ul style="list-style-type: none"> • [include the titles of the persons or organizations to which reports should be made that a student has been missing for 24 hours]; • [require 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]; • [contain an option for each student to identify a contact person or persons whom the institution will notify] within 24 hours if the student is determined by the institutional police or security department or the local law enforcement agency to be missing; • [advise students their contact information will be registered confidentially]; • informs students that the institution will notify within 24 hours the appropriate law enforcement agency that the student is determined to be missing (if the law enforcement agency did not make the determination that the student is missing); and • advises students, if they are under 18 years of age and not emancipated, that the institution is required to notify a custodial parent or guardian within 24 hours when the student is determined to be missing [in addition to any additional contact person designated by the student]. 	
22	Fire Safety Report and Fire Log	Institutions That Participate in Title IV, HEA Programs and Maintain On-Campus Student Housing Facilities	HEOA Sec. 488(a)(1)(E) amended HEA Sec. 485(a)(1) (20 U.S.C. 1092(a)(1)): added HEA Sec. 485(a)(1)(T). HEOA Sec. 488(g) amended HEA Sec. 485 (20 U.S.C. 1092): added HEA Sec. 485(i) HEOA amendments effective August 14, 2008 August 21, 2009 NPRM (revised 34 CFR 668.41(a) and 34 CFR 668.41(e), added 34 CFR 668.49) [By October 1 of each year (beginning with the October 1, 2010, report containing data from the 2009 calendar year), an institution that maintains any on-campus student housing facility must distribute an annual fire safety report, or notice of the report, to all enrolled students and current employees. If the institution distributes the report by posting the report on its website, it must provide a notice by October 1 that includes a statement of the report's availability, the exact electronic address at which the report is posted, a brief description of the report's contents,	[Fire safety report, or notice of report, distributed to each student and current employee] [Prospective students and prospective employees receive a notice of the report's availability]

SUMMARY OF HEA INSTITUTIONAL DISCLOSURE REQUIREMENTS

Reference Number	Subject Area	Requirement Applies to	Requirement	How Disclosed
			<p>and a statement that the institution will provide a paper copy upon request.] [Institutions must provide a notice to prospective students and prospective employees that includes a statement of the report's availability, a description of its contents, and an opportunity to request a copy. If the institution posts the report on its website, the notice must include the exact electronic address at which the report is posted and a statement that the institution will provide a paper copy upon request.]</p>	
			<p>[An institution may combine the publication of the fire safety report and the security report (see <i>subject # 20</i>) if the title of the combined report clearly states that both reports are included. If the security and fire safety reports are published separately, each report must include information about how to access the other report.]</p>	
			<p>The fire safety report must include, for each on-campus student housing facility</p> <ul style="list-style-type: none"> • statistics for the [three]* most recent calendar years for which data are available for <ul style="list-style-type: none"> – the number of fires and the cause of each fire; – the number of injuries related to a fire that result in treatment at a medical facility [, including at an on-campus health center]; – the number of deaths related to a fire; and – the value of property damage caused by a fire. ▪ a description of each housing facility fire safety system, including the fire sprinkler system; ▪ the number of [fire drills held during the previous calendar year] (number of fire drills in 2009 for the 2010 report); ▪ policies or rules on portable electrical appliances, smoking, and open flames; ▪ procedures for evacuation; ▪ policies regarding fire safety education and training programs provided to students and employees (describing the procedures students and employees should follow in the case of a fire). ▪ [for the purposes of including a fire in the statistics, the titles of each person or organization to which students and employees should report that a fire occurred]; and ▪ plans for future improvements in fire safety, if determined necessary by the institution. 	

***[The 3-year requirement will be phased in. The October 1, 2010, report will**

SUMMARY OF HEA INSTITUTIONAL DISCLOSURE REQUIREMENTS

Reference Number	Subject Area	Requirement Applies to	Requirement	How Disclosed
	Fire Log		<p>include the statistics for the 2009 calendar year. The first report to contain three years of data will be the October 1, 2012, report.] The statistics must also be submitted to the Department of Education. The Department must make the statistics publicly available.</p> <p>The institution must maintain a fire log [that records by the date that a fire was reported, any fire that occurred in an on-campus student housing facility]. The log must include the nature, date, time, and general location of each fire.</p> <p>[An entry to the log, or an addition to an entry, must be made within 2 business days of the receipt of the information. The log for the most recent 60-day period must be open to public inspection during normal business hours. The institution must make older portions of the log available within 2 business days of a request for public inspection.]</p> <p>The institution must make an annual report to the campus community on the fires. [This requirement may be satisfied by the annual fire safety report described above.]</p>	Open for public inspection
23	Information for Crime Victims about Disciplinary Proceedings	All Institutions Participating in Title IV, HEA Student Financial Aid Programs	<p>HEOA Sec. 493(a)(1)(A) amended HEA Sec. 487(a) (20 U.S.C. 1094(a)): added HEA Sec. 487(a)(26) HEOA amendment effective August 14, 2009</p> <p>Institutions must, upon written request, disclose to the alleged victim of any crime of violence, or a nonforcible sex offense, the results of any disciplinary proceeding conducted by the institution against a student who is the alleged perpetrator of such crime or offense. If the alleged victim is deceased as a result of the crime or offense, the information shall be provided, upon request, to the next of kin of the alleged victim. This provision applies to any disciplinary proceeding conducted by an institution on or after August 14, 2009. <i>(See subject # 20 for related requirement regarding sex offenses.)</i></p>	Information provided to victim of crime
24	Retention Rate	All Institutions Participating in Title IV, HEA Student Financial Aid Programs	<p>HEOA Sec. 488(a)(1)(E) amended HEA Sec. 485(a)(1) (20 U.S.C. 1092(a)(1)): added HEA Sec. 485(a)(1)(U): HEOA amendment effective August 14, 2008</p> <p>August 21, 2009 NPRM (revised 34 CFR 668.41(a), 34 CFR 668.41(d))</p> <p>Institutions must make available to current and prospective students the retention rate of certificate- or degree-seeking, first-time, undergraduate students [as reported to IPEDS]. (This information is collected in the IPEDS Fall Enrollment Survey.)</p>	Made available through appropriate publications, mailings, or electronic media

SUMMARY OF HEA INSTITUTIONAL DISCLOSURE REQUIREMENTS

Reference Number	Subject Area	Requirement Applies to	Requirement	How Disclosed
25	Completion/ Graduation and Transfer-out Rates (Including Disaggregated Completion/ Graduation Rates) (Student Right-to-Know Act)	All Institutions That Participate in Title IV, HEA Student Financial Aid Programs and That Enroll First-time, Full-time Undergraduate Students	<p>[If the retention rate information is requested by a prospective student, the information must be made available prior to the student's enrolling or entering into any financial obligation with the institution.]</p> <p>HEOA Sec. 488(a)(2) amended HEA Sec. 485(a) (20 U.S.C. 1092(a)): new HEA Sec. 485(a)(4) HEOA Sec. 488(a)(3) amended HEA Sec. 485(a) (20 U.S.C. 1092(a)): added HEA Sec. 485(a)(7) HEOA amendments effective August 14, 2008 (<i>see exception below</i>)</p> <p>34 CFR 668.41(a)-(d), 34 CFR 668.45, 34 CFR 668.8(b)(1)ii) August 21, 2009 NPRM (revised 34 CFR 668.45)</p> <p>Each institution must annually make available to prospective and enrolled students the completion or graduation rate of certificate- or degree-seeking, first-time, full-time, undergraduate students. The data are to be available by July 1 each year for the most recent cohort that has had 150 percent of normal time for completion by August 31 of the prior year. If the information is requested by a prospective student, it must be made available prior to the student's enrolling or entering into any financial obligation with the institution.</p> <p><i>Note:</i> Institutions may add other information to their completion/graduation rate disclosures (e.g., graduation rates for other timeframes, but the HEA-required information must be identifiable and separate from any additional information).</p> <p>An institution that determines that its mission includes providing substantial preparation for students to enroll in another Title IV, HEA-eligible institution must disclose a transfer-out rate for each cohort.</p> <p>A student shall be counted as a completion or graduation if the student earns a degree or certificate or completes a transfer-preparatory program within 150 percent of normal time for the student's program.</p> <p><i>Note:</i> These data are collected in the IPEDS Graduation Rate Survey (GRS) For more information: http://nces.ed.gov/ipeds</p>	Made available through appropriate publications, mailings, or electronic media
	Disaggregated Completion/		The HEOA (Sec. 488(a)(3)) added a provision requiring that the completion or	

SUMMARY OF HEA INSTITUTIONAL DISCLOSURE REQUIREMENTS

Reference Number	Subject Area	Requirement Applies to	Requirement	How Disclosed
	Graduation Rates		graduation rates must be disaggregated by <ul style="list-style-type: none"> • gender; • major racial and ethnic subgroup [as defined in IPEDS]; • recipients of a Federal Pell Grant; • recipients of a subsidized Stafford Loan who did not receive a Pell Grant; and • students who did not receive either a Pell Grant or a subsidized Stafford Loan. 	
			[Students are to be considered to have received a grant or loan if they received it during the period used for determining the cohort – fall term or full year.]	
			These disaggregated rates are to be disclosed only if the number of students in each group is sufficient to yield statistically reliable information and not reveal personally identifiable information about an individual student. The requirement for disaggregation does not apply to 2-year degree-granting institutions until academic year 2011-2012.	
	Exclusions		Institutions are allowed to exclude from completion/graduation or transfer-out rate calculations those students who leave school to serve in the Armed Forces, on official church missions, or with a federal foreign aid service, or are deceased or totally and permanently disabled.	
			The HEOA (Sec. 488(a)(2)) added a provision that applies to institutions for which students who leave school to serve in the Armed Forces, on official church missions, or with a recognized federal foreign aid service represent 20 percent or more of the certificate- or degree-seeking, full-time undergraduates at the institution. Those institutions <i>may</i> include the students who leave for such service in their completion/graduation rate calculations but allow for the time the students were not enrolled due to their service [by adding the time period the students were not enrolled due to their service to the 150 percent of normal time used in the calculations.]	

SUMMARY OF HEA INSTITUTIONAL DISCLOSURE REQUIREMENTS

Reference Number	Subject Area	Requirement Applies to	Requirement	How Disclosed
26	Completion/ Graduation and Transfer-out Rates for Students Receiving Athletically Related Student Aid (Including Disaggregated Completion/ Graduation Rates) (Student Right to Know Act)	All Institutions Participating in Title IV, HEA Student Financial Aid Programs That Enroll Students who Receive Athletically Related Student Aid	HEOA Sec. 488(a)(3) amended HEA Sec. 485(a) (20 U.S.C. 1092(a): added HEA Sec. 485(a)(7) HEOA Sec. 488(d) amended HEA Sec. 485(e) (20 U.S.C. 1092(e)): new HEA Sec. 485(e)(3) HEOA amendments effective August 14, 2008 34 CFR 668.41(a), 34 CFR 668.41(f), 34 CFR 668.45, 34 CFR 668.48 August 21, 2009 NPRM (revised 34 CFR 668.45 and 34 CFR 668.48) Each institution must produce by July 1 each year a report that is provided to a prospective student athlete and the student's parents, high school guidance counselor, and coach at the time the institution offers athletically related student aid. If the NCAA provides the information for the institution to high school coaches and counselors, the institution is deemed to be in compliance with that requirement. The report must also be sent to the Department of Education. (The IPEDS GRS collects a URL for the disclosure information if it is posted on the institution's website.) Note: The provisions in 34 CFR 668.45 (see subject # 25) regarding transfer-out disclosures; determining cohorts; defining completion, graduation, and transfer-out; exclusions; and disaggregation of completion/graduation rates apply also to the requirements for disclosing completion/graduation and transfer-out information for students receiving athletically related student aid. The report must contain <ul style="list-style-type: none"> • the number of students, by race and gender, who attended the institution in the prior year; • the number of students who attended in the prior year and who received athletically related aid, categorized by race and gender within each sport (basketball, football, baseball, cross-country and track combined, and all other sports combined); • the completion or graduation rate, and if applicable, the transfer-out rate, of the certificate- or degree-seeking first-time, full-time undergraduates, categorized by race and gender for the most recently completing class (data submitted to IPEDS in Graduation Rate Survey, see subject # 25; • the completion or graduation rate, and if applicable, the transfer-out rate, of the certificate- or degree-seeking first-time, full-time undergraduates who received athletically related student aid, categorized by race and gender within sport. (These data need not be disclosed for a category in which the number of students is five or fewer.) 	Provided to prospective student athletes and others at time offer is made of athletically related student aid

SUMMARY OF HEA INSTITUTIONAL DISCLOSURE REQUIREMENTS

Reference Number	Subject Area	Requirement Applies to	Requirement	How Disclosed
			<ul style="list-style-type: none"> • average completion or graduation rate, and, if applicable, transfer-out rate, of the four most recently completing or graduating classes, by race and gender; and • average completion or graduation rate, and, if applicable, transfer-out rate, of the four most recently completing or graduating classes for students who received athletically related student aid, categorized by race and gender within each sport. 	
27	Placement in Employment	All Institutions Participating in Title IV, HEA Student Financial Aid Programs	<p>HEOA Sec. 488(a)(1)(E) amended HEA Sec. 485(a)(1) (20 U.S.C. 1092(a)(1)): added HEA Sec. 485(a)(1)(R) HEOA amendment effective August 14, 2008</p> <p>August 21, 2009 NPRM (revised 34 CFR 668.41(d))</p> <p>Institutions must make available to current and prospective students information regarding the placement in employment of, and types of employment obtained by, graduates of the institution's degree or certificate programs.</p> <p>[Institutions must identify the source of the placement information, and any timeframes and methodology associated with it.]</p> <p>Under this provision, institutions are not required to calculate placement rates, but [an Institution must disclose any placement rates it calculates for any program.]</p>	Made available through appropriate publications, mailings, or electronic media
28	Job Placement Rates	Institutions That Participate in the Title IV, HEA Programs and Advertise Job Placement Rates for Student Recruitment	<p>HEA Sec. 487(a)(8) (20 U.S.C. 1094(a)(8)) (34 CFR 668.14(b)(10))</p> <p>Not changed by HEOA</p> <p>An institution that advertises job placement rates as a means of recruiting students to enroll must make available to prospective students, at or before the time the prospective student applies for enrollment</p> <ul style="list-style-type: none"> • the most recent available data concerning employment statistics and graduation statistics; • any other information necessary to substantiate the truthfulness of the advertisements; and • relevant state licensing requirements of the state in which the institution is located for any job for which the course of instruction is designed to prepare students. 	Information made available to prospective students

SUMMARY OF HEA INSTITUTIONAL DISCLOSURE REQUIREMENTS

Reference Number	Subject Area	Requirement Applies to	Requirement	How Disclosed
29	Types of Graduate and Professional Education in Which the Institution's Graduates Enrolled	All Institutions Participating in Title IV, HEA Programs That Have 4-Year Degree Programs	<p>HEOA Sec. 488(a)(1)(E) amended HEA Sec. 485(a)(1) (20 U.S.C. 1092(a)(1)): added HEA Sec. 485(a)(1)(S) HEOA amendment effective August 14, 2008 August 21, 2009 NPRM (revised 34 CFR 668.41(d))</p> <p>Institutions must make available to current and prospective students information regarding the types of graduate and professional education in which graduates of the institution's 4-year degree programs enrolled.</p> <p>[Institutions must identify the source of the information, and any timeframes and methodology associated with it.]</p>	Made available through appropriate publications, mailings, or electronic media
30	Intercollegiate Athletic Program Participation Rates and Financial Support Data (Equity in Athletics Disclosure Act)	All Co-Educational Institutions Participating in Title IV, HEA Programs That Have an Intercollegiate Athletic Program	<p>HEA Sec. 485(g) (20 U.S.C. 1092(g)) Institutional requirements not changed by HEOA.</p> <p>34 CFR 668-41(a)-(b), 34 CFR 668.41(g), 34 CFR 668.47 August 21, 2009 NPRM (revised 34 CFR 668.41(g))</p> <p>By October 15 each year, a co-educational institution that has an intercollegiate athletic program must make information about the program available to current and prospective students and to the public. Current and prospective students must be provided a notice of their right to request such information (included in annual notice to current students, <i>see subject # 1</i>). If the information is provided on a website, the notice must provide the exact electronic address, brief description of the report, and a statement that the institution will provide a paper copy upon request.</p> <p>The report also must be submitted to the Department of Education. The Department of Education is required to make the information available to the public and to notify all secondary schools of the availability of the information and how it may be accessed.</p> <p>The report must include, for the preceding year</p> <ul style="list-style-type: none"> • the number of male and the number of female full-time undergraduates enrolled; • unduplicated head count of participants on at least one varsity team, by gender; • list of the varsity teams that competed in intercollegiate athletic competition, and for each team <ul style="list-style-type: none"> – total number of participants, the number of participants who also participated on another varsity team, and the number of other varsity 	<p>Made available through appropriate publications, mailings, or electronic media.</p> <p>Notice of report provided to students.</p>

SUMMARY OF HEA INSTITUTIONAL DISCLOSURE REQUIREMENTS

Reference Number	Subject Area	Requirement Applies to	Requirement	How Disclosed
			<ul style="list-style-type: none"> – teams on which they participated; – total operating expenses; – whether the head coach was male or female and whether the head coach was assigned to the team on a full-time or part-time basis, and for part-time head coaches whether the coach was a full- or part-time employee of the institution; – number of male and the number of female assistant coaches, and the number of male and the number of female assistant coaches who were full-time or part-time employees of the institution; and – the number of part-time assistant coaches who were full-time and part-time employees of the institution. • total revenues attributable to intercollegiate athletic activities, and the revenues from football, men's basketball, women's basketball, all other men's sports combined, and all other women's sports combined; • total revenues generated across all men's teams and across all women's teams; • total amount of money spent on athletically related student aid, separately for men's and women's teams overall; • ratio of athletically related student aid awarded to male athletes to athletically related student aid awarded to female athletes; • total amount of expenditures on recruiting, separately for men's teams and women's teams overall; • average annual institutional salary of head coaches of men's teams and of women's teams, across all offered sports; • average annual institutional salary of the assistant coaches of men's teams and of women's teams, across all offered sports; and • total expenses attributable to intercollegiate athletic activities, and the expenses attributable to football, men's basketball, women's basketball, all other men's sports combined, and all other women's sports combined. 	
			<p>For more information: http://www.ed.gov/finaid/prof/resources/athletics/eada.html</p>	
31	Voter Registration Forms	All Institutions Participating in Title IV, HEA Student Financial Aid	HEOA Sec. 493(a)(1) amended HEA Sec. 487(a)(23) (20 U.S.C. 1094(a)(23)): added HEA Sec. 487(a)(23)(D) HEOA amendment effective August 14, 2008 Each institution must <ul style="list-style-type: none"> • make a good faith effort to distribute a mail voter registration form (for 	Voter registration forms made widely available and provided to each enrolled student

SUMMARY OF HEA INSTITUTIONAL DISCLOSURE REQUIREMENTS

Reference Number	Subject Area	Requirement Applies to	Requirement	How Disclosed
		Programs	<p>federal elections and state elections for governor or other State chief executive) to each student enrolled in a degree or certificate program and physically in attendance at the institution;</p> <ul style="list-style-type: none"> • make the voter registration form widely available to students at the institution; and • request the forms from the state 120 days prior to the deadline for registering to vote within the state. <p>This requirement does not apply to institutions in states that do not have a voter registration requirement or that allow voters to register at the time of voting.</p> <p>The HEOA (Sec. 493(a)(1)) added the provision that an institution will be considered to be in compliance with the distribution requirement if the institution electronically distributes the voter registration form or an Internet address where such a form can be downloaded. The information must be in an electronic message devoted exclusively to voter registration.</p>	
L-1	State Grant Assistance	Institutions Participating in Title IV, HEA FFEL or Direct Loan Programs	<p>HEA Sec. 487(a)(9) (20 U.S.C. 1094(a)(9)), 34 CFR 668.14(b)(11) Not changed by HEOA.</p> <p>Institution must inform all eligible borrowers enrolled in the institution about the availability of and their eligibility for grant assistance from the state in which the institution is located, and provide sources of information about grant assistance from other states to borrowers from other states.</p>	Information provided to borrowers
L-2	Student Loan Information Published by Dept of Education	Institutions Participating in Title IV, HEA Loan Programs	<p>HEOA Sec. 488(c) amended HEA Sec. 485(d) (20 U.S.C. 1092(d))</p> <p>Institutions are required to provide information published by the Department of Education to students at any time that information regarding loan availability is provided. The publication includes information about rights and responsibilities of students and institutions under Title IV, HEA loan programs. (<i>See also subject # L-5 requirements for exit counseling for student loan borrowers.</i>)</p>	Information provided to prospective student borrowers
L-3	National Student Loan Data System (NSLDS)	Institutions Participating in Title IV, HEA Loan Programs	<p>HEOA Sec. 489 amended HEA Sec. 485B(d)(4) (20 U.S.C. 1092b)</p> <p>Institutions that enter into an agreement with a potential student, student, or parent of a student regarding a Title IV, HEA loan are required to inform the student or parent that the loan will be submitted to the National Student Loan Data System (NSLDS), and will be accessible by guaranty agencies, lenders, and institutions determined to be authorized users of the data system.</p>	Information provided to borrowers

SUMMARY OF HEA INSTITUTIONAL DISCLOSURE REQUIREMENTS

Reference Number	Subject Area	Requirement Applies to	Requirement	How Disclosed
L-4	Entrance Counseling for Student Loan Borrowers	Institutions Participating in Title IV, HEA Loan Programs	HEOA Sec. 488(g) amended HEA Sec. 485 (20 U.S.C. 1092): added HEA Sec. 485(l) HEOA amendment effective August 14, 2008 July 28, 2009 NPRM (revised 34 CFR 685.304(a), 34 CFR 682.604(f))	Information provided to each borrower

Note: The NPRM includes proposed regulations separately for each loan program. See the program regulations for complete information.

[Prior] to the time of disbursement, each institution must provide to a first-time borrower of a FFELP or a Federal Direct Loan (other than consolidated or Parent PLUS loans) comprehensive information on the terms and conditions of the loan and of the borrower's responsibilities. The information is to include

- the effect of the loan on the eligibility of the borrower for other forms of aid;
- an explanation of the use of the Master Promissory Note;
- [the seriousness and importance of the students' repayment obligation];
- information on the accrual and capitalization of interest;
- borrowers of unsubsidized loans have the option of paying interest while in school;
- definition of half-time enrollment and the consequences of not maintaining half-time enrollment;
- importance of contacting appropriate offices if student withdraws prior to completion of program of study;
- sample monthly repayment amounts;
- the obligation of the borrower to repay the full amount of the loan regardless of whether the borrower completes program or completes within regular time for completion[, is unable to obtain employment upon completion, or is otherwise dissatisfied with or does not receive the educational or other services the borrower purchased from the school];
- consequences of default;
- information about the NSLDS and how the borrower can access the borrower's records; and
- name and contact information for individual the borrower may contact with questions about the borrower's rights and responsibilities or the terms and conditions of the loan.

SUMMARY OF HEA INSTITUTIONAL DISCLOSURE REQUIREMENTS

Reference Number	Subject Area	Requirement Applies to	Requirement	How Disclosed
L-5	Exit Counseling for Student Loan Borrowers	Institutions Participating in Title IV, HEA Loan Programs	HEOA Sec. 488(b) amended HEA Sec. 485(b) (20 U.S.C. 1092(b)); new HEA Sec. 485(b)(1)(A) HEOA amendment effective August 14, 2008 July 28, 2009 NPRM (revised 34 CFR 668.42, 34 CFR 685.304(b), 34 CFR 674.42(b), 34 CFR 682.604(g))	Information provided to each student borrower

Note: The NPRM includes proposed regulations separately for each loan program. See the program regulations for complete information.

Each institution must provide counseling to borrowers of loans under the FFEL, Federal Direct Loan, or Perkins Loan programs (other than consolidated or Parent PLUS loans) [shortly before the student borrower ceases at least half-time study at the institution.] The counseling will provide information on

- [average anticipated monthly repayment amount];
 - repayment plan options;
 - options to prepay or pay on shorter schedule;
 - debt management strategies;
 - [use of Master Promissory Note];
 - [the seriousness and importance of student's repayment obligation];
 - terms and conditions for forgiveness or cancellation;
 - copy of information provided by the Department of Education (*see subject # L-2*);
 - terms and conditions for deferment or forbearance;
 - consequences of default;
 - options and consequences of loan consolidation;
 - tax benefits available to borrowers;
 - [the obligation of the borrower to repay the full amount of the loan regardless of whether the borrower completes program or completes within regular time for completion, is unable to obtain employment upon completion, or is otherwise dissatisfied with or did not receive the educational or other services the borrower purchased from the institution];
 - [availability of the Student Loan Ombudsman's office]; and
 - information about the NSLDS. The Department of Education is required to provide a disclosure form for students and prospective students about the NSLDS (HEOA Sec. 489(3), HEA Sec. 485B).
-

SUMMARY OF HEA INSTITUTIONAL DISCLOSURE REQUIREMENTS

Reference Number	Subject Area	Requirement Applies to	Requirement	How Disclosed
L-6	Private Education Loan Disclosures (Including Self-Certification Form)	Institutions Receiving Any Federal Funds That Provide Information to Prospective Borrowers About Private Education Loans	<p>HEOA Sec. 493(a)(1) amended HEA Sec. 487(a) (20 U.S.C. 1094(a)): added HEA Sec. 487(a)(28); HEOA Sec. 120 and Sec. 1021(b) amended HEA Title I: added HEA Sec. 151-155 (20 U.S.C. 1019, 1019a-1019d) HEOA amendments effective August 14, 2008, unless otherwise specified</p> <p>July 28, 2009 NPRM (added 34 CFR 601.2, 34 CFR 601.11, 34 CFR 601.30, 34 CFR 668.14(b)(29))</p> <p>Institutions or institution-affiliated organizations (e.g., alumni organizations, foundations) that provide information regarding a private education loan from a lender to a prospective borrower must provide information to the prospective borrower, including</p> <ul style="list-style-type: none"> • information required under Sec. 128(e) of the Truth in Lending Act (15 U.S.C. 1638(e)); • that the prospective borrower may qualify for loans or other assistance under Title IV, HEA programs; and • that the terms and conditions of Title IV, HEA program loans may be more favorable than the provisions of private education loans. <p>The information regarding private education loans must be presented in a manner that makes it distinct from information regarding Title IV, HEA program loans.</p>	Information provided to prospective borrowers
	Self-Certification Form		The institution must, upon request, provide in written or electronic form to [an enrolled or admitted] student applicant for a private education loan the self-certification form for private education loans required under Sec. 128(e)(3) of the Truth in Lending Act (15 U.S.C. 1638(e)(3)), and the information required to complete the form, to the extent the institution possesses the information. The Department of Education is required to develop the form.	Form and information provided upon request to loan applicant
L-7	Code of Conduct for Education Loans	Institutions Participating in Title IV, HEA Loan Programs	<p>HEOA Sec. 493(a)(1) and HEOA Sec. 493(c) amended HEA Sec. 487 (20 U.S.C. 1094):</p> <ul style="list-style-type: none"> • added HEA Sec. 487(a)(25) • new HEA Sec. 487(e) <p>HEOA amendments effective August 14, 2008</p> <p>July 28, 2009 NPRM (added 34 CFR 601.2, 34 CFR 601.21, 34 CFR 668.14(b)(27))</p> <p>Each institution must prominently publish on the institution's website a code of conduct that prohibits a conflict of interest with the responsibilities of an [agent] of an institution with respect to FFELP or private education loans. All agents with</p>	<p>Published on website</p> <p>All relevant agents must be annually informed of the provisions of the code of conduct</p>

SUMMARY OF HEA INSTITUTIONAL DISCLOSURE REQUIREMENTS

Reference Number	Subject Area	Requirement Applies to	Requirement	How Disclosed
			<p>responsibility for loans must be informed annually of the provisions of the code. The code of conduct must prohibit</p> <ul style="list-style-type: none"> • revenue-sharing arrangements with any lender; • receiving gifts from a lender [, a guarantor, or a loan servicer]; • contracting arrangement providing financial benefit from any lender or affiliate of a lender; • [directing borrowers to particular lenders, or refusing or delaying loan certifications]; • offers of funds for private loans; • call center or financial aid office staffing assistance; and • advisory board compensation. 	
L-8	Preferred Lender Lists	<p>Institutions Participating in Title IV, HEA Programs That Participate in a Preferred Lender Arrangement</p>	<p>HEOA Sec. 493(a)(1), HEOA Sec. 493(c), and HEOA Sec. 493(d) amended HEA Sec. 487 (20 U.S.C. 1094):</p> <ul style="list-style-type: none"> • added HEA Sec. 487(a)(27) • added HEA Sec. 487(h) • new HEA Sec. 487(i) <p>HEOA amendments effective August 14, 2008</p> <p>July 28, 2009 NPRM (added 34 CFR 601.2, 34 CFR 601.10, 34 CFR 668.14(b)(28))</p> <p>Each institution must annually make available in print or other medium to students attending the institution and their families a list of the specific lenders for private education loans or for Title IV, HEA loans that the institution recommends, promotes, or endorses in accordance with a preferred lender arrangement.</p> <p>The list must prominently disclose the method and criteria used by the institution in selecting lenders for preferred lender arrangements to ensure that such lenders are selected on the basis of the best interests of the borrower. The list must also clearly and fully disclose</p> <ul style="list-style-type: none"> • the minimum information determined by the Department of Education (HEA Sec. 153(a)) (<i>see subject # L-9</i>); • why the institution participates in a preferred lender arrangement with each lender, particularly with respect to terms and conditions or provisions favorable to the borrower; and • that the students or their families do not have to borrow from a lender on the list. 	<p>Made available to students and families in print or other medium</p>
<p>The list must have at least three FFELP lenders who are not affiliates of each other.</p>				

SUMMARY OF HEA INSTITUTIONAL DISCLOSURE REQUIREMENTS

Reference Number	Subject Area	Requirement Applies to	Requirement	How Disclosed
			<p>If the list includes private loans, there must be at least two lenders who are not affiliates. The list must indicate for each lender whether it is or is not an affiliate of the other lenders on the list. The details of each affiliation are to be disclosed. The Department of Education is required to provide to institutions a list of the lender affiliates of all eligible lenders.</p>	
L-9	Preferred Lender Arrangements	Institutions Receiving Any Federal Funding That Participate in a Preferred Lender Arrangement	<p>HEOA Sec. 120 amended HEA Title I: added HEA Title I, Part E (HEA Sec. 151-154) (20 U.S.C. 1019, 1019a-1019c). (HEOA Title X also amended the Truth in Lending Act.)</p> <p>HEOA amendments effective August 14, 2008 (unless otherwise specified)</p> <p>July 28, 2009 NPRM (added 34 CFR 601.2, 34 CFR 601.10, 34 CFR 601.12, 34 CFR 601.20))</p>	<p>Published on website. All relevant agents must be annually informed of the provisions of the code of conduct.</p>
			<p>An institution or institution-affiliated organization (e.g., alumni organizations, foundations) that participates in a preferred lender arrangement must comply with the code of conduct provisions in HEA Sec. 487(a)(25) and HEA Sec. 487(h) (see <i>subject # L-7</i>). Institution-affiliated organizations are required to prominently publish the code of conduct on their websites (if any) and annually inform [agents] with responsibility for education loans of the provisions of the code.</p>	

SUMMARY OF HEA INSTITUTIONAL DISCLOSURE REQUIREMENTS

Reference Number	Subject Area	Requirement Applies to	Requirement	How Disclosed
			<p>By February 14, 2010, the Department of Education is required to determine the minimum information to be disclosed to current and prospective students regarding preferred lender arrangements. The Department is also required to then develop model disclosure forms for FFELP and Federal Direct Loans that may be used by institutions or institution-affiliated organizations.</p>	
			<p>In addition to the information required for the Preferred Lender Lists (<i>see subject # L-8</i>), each institution or institution-affiliated organization in a preferred lender arrangement must disclose information on its website and in publications, mailings, or electronic messages, or materials that are distributed to prospective or current students and their families that describe the financial aid opportunities available to students attending the institution and that describe or discuss education loans (<i>see also subject # 3 for Sec. 485(a) requirements</i>).</p>	<p>Published on website. Provided in publications, mailings, or electronic messages or materials that are distributed to prospective and current students and their families</p>
		<p>The information must include</p> <ul style="list-style-type: none"> • the maximum amount of Title IV, HEA grant and loan aid available to students; • the information on the model disclosure form provided by the Department of Education for each type of loan (described above); and • a statement that the institution is required to process documents for a FFELP loan from any eligible lender the student selects. 		
	<p>Private Education Loans</p>		<p>Each institution must provide on its website, and in publications, mailings, or electronic messages, or materials that are distributed to prospective or current students and their families that describe the financial aid opportunities available to students attending the institution and that describe or discuss private education loans, the information required to be disclosed under Sec. 128(e)(11) of the Truth in Lending Act (15 U.S.C. 1638(e)(11)) for each type of private loan.</p>	<p>Published on website. Provided in publications, mailings, or electronic messages or materials that are distributed to prospective and current students and their families</p>
		<p>Each institution-affiliated organization must provide on its website, and in publications, mailings, or electronic messages, or materials distributed to students and families that describe private education loans offered pursuant to a preferred lender arrangement, the information required to be disclosed under Sec. 128(e)(1) of the Truth in Lending Act (15 U.S.C. 1638(e)(1)) for each type of private loan.</p>		
			<p>The name of the lender must be displayed in all information and documentation related to private education loans.</p>	

SUMMARY OF HEA INSTITUTIONAL DISCLOSURE REQUIREMENTS

Reference Number	Subject Area	Requirement Applies to	Requirement	How Disclosed
			<p>The information in the model disclosure form and the Truth in Lending Act information must be provided annually in a manner that allows students and families to take the information into account before selecting a lender or applying for an education loan.</p>	
	<p>Annual Report on Preferred Lender Arrangements</p>		<p>Each institution and each institution-affiliated organization must make an annual report to the Department of Education that includes for each lender in a preferred lender arrangement with the institution or institution-affiliated organization</p> <ul style="list-style-type: none"> • the minimum information the Department determines must be disclosed (described above); • information required for private loans under the Truth in Lending Act; and • detailed explanation of the reasons an institution or institution-affiliated organization participates in a preferred lender arrangement with the lender, including why the terms, conditions, and provisions of each type of loan are beneficial to the institution's students or their families. 	<p>Made available to the public and provided to current students and students planning to attend the institution and their families</p>
			<p>The information in the report must be made available to the public and provided to current students and students planning to attend the institution and their families.</p>	

APPENDIX B

Posting HEA Disclosure Information on Institutional Websites

The disclosures required under the HEA (as amended by the HEOA) include

- information that is required to be posted on an institution’s website;
- information that **may be** posted on website as a means to “make it available”;
- information that **may be** posted on website, but specified individuals must receive a notice of its availability;
- information that **may be** posted on website, but also must be distributed to specified individuals; and
- information that is not appropriate for web posting (including information for crime victims about disciplinary hearings and certain information relating to education loans).

An institution may *choose* to include all of the HEA-required disclosures that are appropriate for web posting on the institution’s student consumer information portal page. However, the institution will need to ensure that certain information is also provided directly to specified individuals.

The HEA-required disclosures are listed below in groups by the required methods of dissemination (including the reference number used to identify each disclosure in Appendix A, Summary of HEA Institutional Disclosure Requirements). *Note:* Some of the disclosures have more than one required method of dissemination.

Please note: Institutions should be aware that posting information on a website is sufficient for meeting those HEA requirements that institutions make certain information “available” to the public or others. A number of the HEA disclosure provisions require that institutions deliver information directly to specified individuals, or that it be provided directly upon request. In those cases, posting information on the institution’s website is **not** sufficient. An institution may choose to post all of the appropriate HEA disclosure information on its website for information management purposes, but it still must ensure that certain information is also provided directly to the specified individuals.

Institutions should also ensure that the information disclosed is accurate. The Department of Education may initiate a fine, or a limitation, suspension, or termination of Title IV HEA eligibility for any substantial misrepresentation made by an institution regarding the nature of its educational program, its financial charges, or the employability of its graduates. (Under HEA Sec. 485(f)(13), this provision also specifically applies to misrepresentation of the number, location, or nature of crimes included in campus crime reports.) For more information, see chapter 6 of volume 2 of the Federal Student Aid Handbook at <http://ifap.ed.gov/fsahandbook/attachments/0910FSAHbkVol2Ch6Information.pdf>.

I. Information that must be posted on an institution's website

- (6) Consumer Information on College Navigator Website (including student activities offered by the institution, services offered by the institution for individuals with disabilities, career and placement services offered to students during and after enrollment, and policies of the institution related to transfer of credit from other institutions)
- (11) Net Price Calculator
- (12) Textbook Information (Internet course schedule)
- (L-7) Code of Conduct for Education Loans
- (L-9) Preferred Lender Arrangements

II. Information that must be made available to the public

- (14) Transfer of Credit Policies and Articulation Agreements
- (17) Teacher Preparation Program Report
- (18) Drug and Alcohol Abuse Prevention Program
- (20) Crime Log
- (22) Fire Log
- (30) Intercollegiate Athletic Program Participation Rates and Financial Support Data
- (L-9) Preferred Lender Arrangements Annual Report

III. Information that must be made available to current students and their families

- (L-8) Preferred Lender Lists

IV. Information that must be made available to current and prospective students

Note: These disclosure requirements must be listed and briefly described in the annual notice that must be distributed to all enrolled students (*see subject # 1 in appendix A*). The notice must also include information about subjects # 5 Privacy of Student Records – Family Educational Rights and Privacy Act (FERPA), # 20–21 Security Report, and # 22 Fire Safety Report.

- (2) Contact Information for Assistance in Obtaining Institutional or Financial Aid Information
- (3) Student Financial Aid Information
- (7) Facilities and Services Available to Students with Disabilities
- (8) Student Body Diversity
- (9) Price of Attendance
- (10) Refund Policy, Requirements for Withdrawal and Return of Title IV, HEA Financial Aid
- (13) Academic Program (Educational Programs, Instructional Facilities, and Faculty)
- (15) Institutional and Program Accreditation, Approval, or Licensure

- (16) Copyright Infringement Policies and Sanctions (Including Computer Use and File Sharing)
- (19) Vaccinations Policies
- (24) Retention Rate
- (25) Completion/Graduation and Transfer-out Rates (Including Disaggregated Completion/Graduation Rates)
- (27) Placement in Employment
- (29) Types of Graduate and Professional Education in Which Institution's Graduates Enrolled
- (30) Intercollegiate Athletic Program Participation Rates and Financial Support Data

V. Information that must be made available to prospective students

- (28) Job Placement Rates

VI. Information that must be provided to current and prospective students and their families

- (L-9) Preferred Lender Arrangements
- (L-9) Preferred Lender Arrangements Annual Report

VII. Information that must be provided to current students

- (1) Notice of Availability of Institutional and Financial Aid Information
- (4) Notice of Federal Student Financial Aid Penalties for Drug Law Violations
- (5) Privacy of Student Records – Family Educational Rights and Privacy Act (FERPA)
- (18) Drug and Alcohol Abuse Prevention Program
- (20) - (21) Security Report or Notice of Security Report
- (20) Timely Warnings and Emergency Notifications
- (22) Fire Safety Report or Notice of Fire Safety Report
- (23) Information for Crime Victims About Disciplinary Hearings
- (31) Voter Registration Forms

VIII. Information that must be provided to current employees

- (18) Drug and Alcohol Abuse Prevention Program
- (20) - (21) Security Report or Notice of Security Report
- (20) Timely Warnings and Emergency Notifications
- (22) Fire Safety Report or Notice of Fire Safety Report
- (L-7) Code of Conduct for Education Loans (agents with responsibility for private education loans or FFELP loans)

IX. Information that must be provided to prospective students

- (20) - (21) Notice of Security Report
- (22) Notice of Fire Safety Report
- (30) Notice of Intercollegiate Athletic Program Participation Rates and Financial Support Data

X. Information that must be provided to prospective employees

- (20) - (21) Notice of Security Report
- (22) Notice of Fire Safety Report

XI. Information that must be provided to a prospective student athlete and the student's parents, guidance counselor, and coach

- (26) Completion/Graduation and Transfer-out Rates for Students Receiving Athletically Related Student Aid (Including Disaggregated Completion/Graduation Rates)

XII. Information that must be provided to college bookstores

- (12) Textbook Information

XIII. Information that must be provided to borrowers or prospective borrowers of education loans

- (L-1) State Grant Assistance
- (L-2) Student Loan Information Published by Department of Education
- (L-3) National Student Loan Data System
- (L-4) Entrance Counseling for Student Borrowers
- (L-5) Exit Counseling for Student Borrowers
- (L-6) Private Education Loan Disclosures (Including Self-Certification Form)

Appendix C

NPEC HEOA Working Group

Chair

Bryan Cook
American Council on Education

NPEC Members Who Served on the Working Group

Tammy Halligan
Career College Association

Gigi Jones
National Association of Independent Colleges and Universities

Christine Keller
Association of Public and Land-grant Universities

Tod Massa
State Council of Higher Education for Virginia

Lesley McBain
American Association of State Colleges and Universities

Kent Phillippe
American Association of Community Colleges

Matthew Reed
The Institute for College Access and Success

Dawn Geronimo Terkla
Tufts University

Additional Working Group Members and Contributors to This Project

Marty Guthrie
Office of Postsecondary Education
U.S. Department of Education

David Hawkins
National Association for College Admission Counseling
Carney McCullough

Office of Postsecondary Education
U.S. Department of Education

Elise Miller
National Center for Education Statistics
U.S. Department of Education

Janice Plotczyk
National Center for Education Statistics
U.S. Department of Education

Hans L'Orange
State Higher Education Executive Officers (SHEEO)
SHEEO/NCES Network

Consultants

Brenda Albright
Franklin Education Group

Carol Fuller
Coffey Consulting

Carlo Salerno
Coffey Consulting